



THE CHURCH
OF ENGLAND

Practical Guidance: How to make a Safeguarding Serious Incident report to the Charity Commission

House of Bishops

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Introduction

This guidance explains how to prepare a **safeguarding Serious Incident Report** and submit it to the Charity Commission.

This House of Bishops' guidance is for Diocesan Safeguarding Advisers, Diocesan Secretaries, Parish Safeguarding Officers and the Safeguarding Officers in Religious Communities¹. It sits alongside the main House of Bishops' Guidance on how to identify and report a safeguarding Serious Incident, which can be accessed at <https://www.churchofengland.org/safeguarding/promoting-safer-church/policy-practice-guidance>.

For guidance on Serious Incidents that do not relate to safeguarding, such as financial crime, significant financial loss and data protection breaches, please see the relevant guidance².

It is important to remember that the requirement to report a Serious Incident to the Charity Commission is in addition to any requirement to notify the police, local authority, statutory agency or other relevant authority.

1. What is a safeguarding "Serious Incident"?

A safeguarding Serious Incident is an adverse event, whether actual or alleged, which results in or risks **significant** harm to the charity's beneficiaries, employees, office holders, volunteers or to others who come into contact with the charity through its work. This includes where there are allegations or incidents of abuse of or risks to beneficiaries or others connected with the charity's activities. What is considered to be "significant" is a matter for the trustees to determine, as it will depend on the context of the charity, taking into account its operations, staff, finances and reputation.

The following should be reported to the Charity Commission as a safeguarding Serious Incident:

- beneficiaries of your charity (adults or children) have been, or are alleged to have been, abused or mistreated while under the care of the charity, or by someone connected with the charity, for example a trustee of the PCC or DBF, a member of the clergy, a Church Officer, employee or volunteer;
- a person who comes into contact with the charity through its work (including a Church Officer, an employee or a volunteer) has been abused or mistreated (alleged or actual) and the abuse or mistreatment is connected with the activities of the charity (for example it occurred during a religious service, a home visit by clergy or a pastoral visitor or an activity or event run by the PCC or DBF);
- there has been a breach of the House of Bishops' guidance or other safeguarding procedures or policies at the charity which has put beneficiaries and other persons who come into contact with the charity through its work at significant risk of harm, including failure to report safeguarding concerns to statutory agencies or to carry out relevant vetting checks which would have identified that a person is disqualified in law, under safeguarding legislation, from working with children, young people or adults; or

¹ A very small number of Religious Communities are "closed" and are not charities as they do not provide sufficient public benefit. Religious Communities that are not charities do not need to report Serious Incidents to the Charity Commission.

² Guidance for Parochial Church Councils (PCCs) on reporting non-safeguarding Serious Incidents

<https://www.parishresources.org.uk/pccs/trusteeship/serious-incident-reporting/>

Guidance for Diocesan Boards of Finance (DBFs) and Religious Communities on reporting non-safeguarding Serious Incidents: <https://www.parishresources.org.uk/pccs/trusteeship/serious-incident-reporting/>

- alleged or actual incidents in the workplace which have resulted in or risk significant harm to trustees, employees, office holders or volunteers and are considered to be “serious” in the context of the charity. An incident should always be reported where the level of harm to the victims and/or the likely damage to the reputation of or public trust in the charity is particularly high. For example: allegations of serious sexual abuse of and by a staff member, office holder or volunteer; abuse by a senior member of staff or office holder or if a widespread of culture of bullying, abuse or sexual harassment is uncovered.

Any incident which is connected with the activities of the charity and involves actual or alleged criminal activity should always be reported to the police and/or the local authority, as well as to the Charity Commission as a Serious Incident. You should not wait until someone has been arrested, charged or convicted, before reporting an incident.

2. What is not a Serious Incident?

If an incident is not Serious, or it is not connected with the charity’s activities, it does not need to be reported. Disclosures that abuse is occurring outside the charity and which are not connected to the charity or its activities should be reported to the relevant authorities. However, as the abuse does not relate to the charity’s activities, and the alleged perpetrator is not connected with the charity, it is not a Serious Incident for these purposes and so should not be reported to the Charity Commission.

3. When should a Serious Incident be reported to the Charity Commission?

The Charity Commission expects Serious Incidents to be reported to it “promptly”, i.e. as soon as is reasonably possible after it happens, or immediately after you become aware of it³. In practice, a report should be made once sufficient information has been gathered for the report to be meaningful. However, there may be occasions where it is appropriate for a brief initial report to be made, with an indication that a follow-up report will be made once additional information has been obtained.

It is important to report Serious Incidents in a timely manner, as a failure to report a Serious Incident that subsequently comes to light may be considered by the Charity Commission to be mismanagement, or a serious governance failure. This could result in the Charity Commission taking regulatory action, particularly if further abuse has taken place following the initial Serious Incident that was not reported.

4. When should a safeguarding Serious Incident in a partner entity be reported to the Charity Commission?

The Charity Commission expects your charity to demonstrate that it has suitable governance structures in place to provide an appropriate level of oversight in relation to incidents which materially affect your charity’s operations, finances, people or reputation and that these incidents are being properly managed by your charity. This includes consequences and risks which result from safeguarding Serious Incidents that take place in partner organisations.

You should make a Serious Incident Report to the Charity Commission when you become aware that a safeguarding Serious Incident has occurred in one of your charity’s

³ See Section 7 on Bulk Reporting.

partners which materially affects your charity, its staff, operations, finances and/or reputation to such an extent that it is serious enough to be reported by your charity.

Partners in this context include the following:

- a delivery partner or sub-contractor of your charity;
- a subsidiary trading company of your charity;
- an organisation that receives funding from your charity; and
- another charity or organisation that is linked to your charity.

Trustees need to consider whether a safeguarding incident in a partner organisation should be reported, taking into account their own charity's activities, size, funding and the nature of their charity's relationship with the partner, as well as the nature and severity of the safeguarding incident.

When deciding whether or not a report needs to be made, you should use the guiding principles below. These principles categorise Serious Incidents which happen in a partner into three areas: (A) those which are most likely to need to be reported; (B) those which may need to be reported; and (C) those which are least likely to need to be reported.

These principles should help you to assess whether your charity needs to report a safeguarding incident occurring in a partner organisation as a Serious Incident. Your assessment should take into account the specific circumstances of the event or incident, the actual or likely impact on your charity and the likely risk to your charity. Where a decision is made not to report an incident in this category, the decision should be recorded in writing together with the reasons why it was made.

- (A) The incident involves the charity's funds or its staff/ volunteers; or it occurred during an activity or programme which the charity funds, has responsibility for or is involved with as a joint activity/programme; or the charity has the same branding as the partner.

This is considered to be the highest risk category due to the close links between your charity and the Serious Incident. However, whether a Serious Incident in this category will need to be reported by your charity as a Serious Incident will depend on:

- how serious the incident is; and
- how significant an impact the incident is likely to have on your charity, its operations, finances, people and/or reputation.

Where your charity has the same branding as the partner, so that the public may identify your charity as being part of the same entity as the partner, there may be a significant impact on the reputation of your charity, or on public trust and confidence in your charity. This is because the public may not distinguish between the two organisations. This may mean that your charity also needs to report the incident as a Serious Incident, even if there is little or no impact on your charity's activities, finances or people.

You should consider whether you need to report any safeguarding incidents involving partner organisations which fall into this category. When deciding whether an incident is serious enough to be reported by your charity, the starting point should be whether the incident would have been reported as a Serious Incident if it had happened in your charity.

- (B) The incident does not involve your charity's funds, brand or people but could have an impact on your charity.

Serious Incidents in a partner organisation are less likely to need to be reported to the Charity Commission when your charity does not have close links to the partner in which

the safeguarding Serious incident happened. However, your charity may still need to make a report where the particular incident:

- causes or is likely to cause material reputational damage to your charity and / or;
- raises or is likely to raise material issues around due diligence in terms of whether the partner concerned remains capable of delivering your charity's work or continues to be a suitable partner for your charity to work with and / or;
- is a trigger event (as defined within your charity's funding or partnership agreement with that partner) that your charity considers to be so significant that it would trigger suspension or termination of the agreement or arrangement with the partner.

(C) The incident does not involve your charity's funds, brand or people and is sufficiently remote from your charity's work that it has little or no impact on your charity's reputation or the partner's ability to deliver its work with your charity.

This type of incident would not usually need to be reported to the Charity Commission.

DBFs and PCCs

PCCs have certain links to the DBF in the diocese and so a DBF may consider, on occasion, that it needs to report certain safeguarding Serious Incidents that happen in a PCC, for example, where the incident is of a particularly serious nature and involves the incumbent. As DBFs report all safeguarding Serious Incidents on behalf of PCCs, (whether individually or in the bulk report), DBFs can use the report of the safeguarding Serious Incident for that PCC to also report the incident on behalf of the DBF. This can be done simply by including the DBF's details where the report asks for the details of the names and registration numbers of the other charities you are reporting on behalf of.

5. Who is responsible for preparing and submitting the Serious Incident Report?

Responsibility for making a Serious Incident report in a timely manner rests with the trustees. However, this responsibility should be delegated formally to the Diocesan Secretary (for DBFs and PCCs) and to the Safeguarding Officer for Religious Communities.

The PCC Safeguarding Officer is responsible for:

- contacting the DSA if they consider a safeguarding Serious Incident may have occurred and providing the DSA with any information requested;
- taking such steps or actions required to safeguard beneficiaries or those connected with the PCC, in consultation with the DSA and the PCC's trustees (where appropriate); and
- reporting back to the PCC's trustees in relation to the management and reporting of the Serious Incident.

The Diocesan Safeguarding Adviser is responsible for:

- deciding (in consultation with the Diocesan Secretary) whether an incident is a Serious Incident that needs to be reported to the Charity Commission;
- working with, supporting and providing guidance to the relevant PCC's Safeguarding Officer;
- deciding whether an incident is sufficiently serious to require it to be separately reported to the Charity Commission, or whether it can be included in the bulk Serious Incident Report submitted every six months; and

- preparing the Serious Incident Reports (individual and bulk) and providing them to the Diocesan Secretary in a timely manner for submission to the Charity Commission.

The Diocesan Secretary is responsible for:

- supporting the Diocesan Safeguarding Adviser to decide whether an incident is a Serious Incident that needs to be reported to the Charity Commission;
- reporting to the DBF's trustees (in relation to the Serious Incidents occurring within the DBF) in accordance with the terms of the delegation;
- submitting the Serious Incident Reports to the Charity Commission on behalf of the DBFs and PCCs;
- sending a copy of all PCC Serious Incident Reports to the relevant PCC's Safeguarding Officer; and
- sending a copy of all Serious Incident Reports to the National Safeguarding Team (NST)⁴.

The Safeguarding Officer in a Religious Community is responsible for:

- deciding whether an incident is a Serious Incident that needs to be reported to the Charity Commission;
- reporting to the Religious Community's trustees in relation to the Serious Incidents in accordance with the terms of the delegation;
- preparing the Serious Incident Report and submitting it to the Charity Commission;
- sending a copy of the Serious Incident Report to the trustees of the Religious Community;
- sending a copy of the Serious Incident Report to the Diocesan Safeguarding Adviser for the Diocese in which the Serious Incident occurred;
- sending a copy of the Serious Incident Report to the Religious Community's episcopal Visitor; and
- sending a copy of the Serious Incident Report to the NST⁵.

When gathering information in order to prepare a safeguarding Serious Incident Report, it is important to take care not to undermine the work of the police (or other investigating authorities) by leading potential witnesses or contaminating evidence.

6. How is a Serious Incident reported to the Charity Commission?

DBFs and PCCs

Individual reports of safeguarding Serious Incidents are submitted to the Charity Commission using the Charity Commission's online form at <https://ccforms.charitycommission.gov.uk>.

The Charity Commission has agreed that Diocesan Secretaries can submit bulk reports for their DBF and the PCCs in their diocese every six months, rather than reporting each incident separately, provided that particularly serious or significant incidents, and/or those likely to attract media attention are reported immediately. Diocesan Safeguarding Advisers should prepare bulk reports using the Charity Commission's bespoke bulk

⁴ at rsi.nst@churchofengland.org

⁵ at rsi.nst@churchofengland.org

reporting template for DBFs, which is available for download from the Church of England's Safeguarding Policy and Practice Guidance webpage⁶ (see Section 8 below).

Bulk reports should be sent to the Charity Commission by email to bulkrsi@charitycommission.gov.uk.

Where a Serious Incident relates to both a PCC and a DBF, for example if an allegation is made against a parish priest whose stipend is paid by the DBF, the DBF only needs to make one Serious Incident report on behalf of the PCC, unless there is risk of significant particular harm to the reputation of the DBF as a result of the Serious Incident.

Religious Communities

The Safeguarding Officer for the Religious Community should report any safeguarding Serious Incidents to the Charity Commission individually, using the Charity Commission's online form at <https://ccforms.charitycommission.gov.uk>.

7. How do I decide which Serious Incidents should be individually reported and which can be included in the bulk report?

The Charity Commission's guidance states that particularly serious or significant incidents, and/or those likely to attract media attention, should be reported to it immediately, rather than waiting to include it in the next bulk report. In light of this it is proposed that incidents where:

- there is a live risk of harm to beneficiaries (for example, the alleged perpetrator is an office holder in another parish within the diocese, or in another diocese, or holds other trusteeships or positions of responsibility in other charities);
- the person against whom allegations have been made is a senior office holder at the charity;
- the alleged incident is, or a series of alleged incidents taken together are, particularly serious in the context of the charity; or
- the incident is likely to attract substantial media interest⁷ which results in (or risks) significant harm to the charity's reputation;

should be reported to the Charity Commission immediately, and not included in the bulk reports.

However, it is also important to ensure that those incidents included in bulk reports are, in fact, Serious Incidents that require reporting.

8. What needs to be included in the Serious Incident Report?

When preparing a Serious Incident report, it is important to remember what the Charity Commission's concerns are when it reviews Serious Incident reports. You need to provide sufficient detail in your report to give the Charity Commission a clear picture of what happened and when, the extent of any harm caused, how the charity is dealing with the incident and what the charity's next steps are.

Although the Charity Commission will not investigate whether a criminal offence has occurred (that being the role of the police), it will scrutinise the conduct of the charity's trustees and the steps they have taken to protect the charity and its beneficiaries, now

⁶ <https://www.churchofengland.org/safeguarding/promoting-safer-church/policy-practice-guidance>. If you have any difficulty locating or downloading the template, please email rsi.nst@churchofengland.org for assistance.

⁷ If you are uncertain how to respond to media reports once the Serious Incident Report has been made, you can contact the Charity Commission's media team for support and advice on pressenquiries@charitycommission.gov.uk.

and in the future. This includes making sure that the charity's trustees have proper procedures and systems in place to handle allegations, are dealing with them responsibly and are reporting incidents where appropriate to the police, social services and other relevant agencies. The Charity Commission will also want to know whether the charity's trustees are managing the risks of such incidents occurring again, so far as is practicable, by making any necessary changes to existing procedures and practice as a result of the Serious Incident.

When reporting an historic allegation of abuse, the report should confirm that the Diocesan Safeguarding Adviser has informed the Diocesan Safeguarding Adviser in the diocese in which the alleged perpetrator now holds office (if relevant). The Charity Commission also expects the DBF of the diocese in which the alleged perpetrator now holds office to make a Serious Incident report to inform the Charity Commission of the steps taken as a result of the allegation reported to protect the beneficiaries (and any others who come into contact with the DBF through its work) in that diocese from any potential risk of harm.

In order to complete the Charity Commission's online form, you will need the following information:

(A) General:

- your own contact details;
- the charity name and, if it's registered, its registration number;
- your connection to the charity (i.e. the capacity in which you are submitting the report);
- reference numbers and contact details if you've reported it to other organisations, like the police; and
- names and registration numbers of other charities involved in the incident, if relevant.

(B) Details of the incident:

- date of the incident;
- what happened;
- connection to the charity of the person who may be responsible for the incident and / or the connection to the charity of the person alleged to have suffered abuse or mistreatment;
- date the charity found out about the incident;
- how the charity found out about the incident;
- what impact the incident has had on the charity's beneficiaries, finances, staff, operations or reputation; and
- whether all or only some of the trustees are aware of the incident (for example only some of the trustees may be aware where the Serious Incident involves a trustee, someone connected to a trustee, or senior member of staff).

(C) How your charity is handling the incident:

- which of the charity's policies or procedures (including the House of Bishops' Policies and Practice Guidance and any guidance from the NST) relate to the incident and whether they were followed;
- what steps the charity has taken to deal with the incident;
- what steps the charity has taken to prevent similar incidents; and

- where applicable, the charity’s media handling or press lines, including a link to a press release if available.⁸.

The initial report to the Charity Commission should be anonymised, unless identifying the person is essential to the making of the report. If the Charity Commission requires further details and information in relation to any Serious Incident reported to it, it will ask for them.

However, where the person who may be responsible for the incident and / or the person alleged to have suffered abuse or mistreatment is a church officer, or is a volunteer with a specific role (e.g. bell ringer or chorister), you should select “other” from the drop down option in the online form and use the free text option to state the role of the person concerned, as this information is needed by the NST.

The Diocesan Secretary (or, for Religious Communities, the person submitting the Serious Incident report) should be the named contact provided to the Charity Commission should it have any follow-up queries or require further information. Where follow-up queries are received, any assistance required should be sought (as appropriate) from the relevant PCC’s Safeguarding Officer, the Diocesan Safeguarding Adviser, the Diocesan Registrar, the Diocesan Bishop and/or the NST.

9. Completing a Bulk Report (DBFs only)

The Charity Commission now requires all charities which bulk report to use its standard template. However, as DBFs bulk report safeguarding Serious Incidents only and do so on behalf of PCCs in their diocese (as well as for the DBF), the Charity Commission has created a bespoke bulk reporting template for DBFs to use. The bespoke template has had columns added to enable the recording of the name and registration number (where applicable) of the charity on whose behalf each individual incident is being reported. This will make it clear to the Charity Commission which charity each incident being reported relates to.

The bulk reporting template is available for download from the Church of England’s Safeguarding Policy and Practice Guidance webpage.⁹ The template is an Excel spreadsheet with three tabs:

- Tab 1: This is the covering page of the bulk report which should be completed by the Diocesan Secretary.
- Tab 2: This is the template report itself, which contains a mixture of drop-down options and free text responses.
 - o The template has different questions to be answered depending on whether the incident being reported relates to a breach of procedures or policies or to alleged abuse or mistreatment.
 - o Where the person who may be responsible for the incident and / or the person alleged to have suffered abuse or mistreatment is a church officer, or is a volunteer with a specific role (e.g. bell ringer or chorister), select “other” from the drop down option in the template and use the free text option to state the role of the person concerned.¹⁰

⁸ If you are uncertain how to respond to media reports once the Serious Incident Report has been made, you can contact the Charity Commission’s media team for support and advice on pressenquiries@charitycommission.gov.uk.

⁹ <https://www.churchofengland.org/safeguarding/promoting-safer-church/policy-practice-guidance>. If you have any difficulty locating or downloading the template, please email rsi.nst@churchofengland.org for assistance.

¹⁰ This information is needed by the NST.

- Tab 3: This is where updates to previously reported safeguarding Serious Incidents can be made.

Where a DBF chooses to bulk report, two reports a year should be made: the first covering the period from 1 January to 30 June and the second covering the period from 1 July to 31 December. Once completed, bulk reports should be emailed to the Charity Commission in a timely manner at bulkrsi@charitycommission.gov.uk.

10. Next steps: What happens once a Serious Incident has been reported?

When you submit an individual Serious Incident report to the Charity Commission, you will receive a confirmatory email with a pdf of the report attached to it and an incident reference number.

You will not receive a separate incident reference number when you submit a bulk report, as the Charity Commission's bespoke template will automatically generate an incident reference number in the final column for each incident included in the bulk report (Tab 2).

You must send the pdf of each individual report, or a copy of the bulk report submitted to the Charity Commission, to the NST at rsi.nst@churchofengland.org.

The Charity Commission may, on receipt of a Serious Incident report:

- (a) request further information on the incident from the charity;
- (b) give regulatory advice or guidance to the reporting charity;
- (c) take such steps as it considers necessary to protect other charities, for example where the alleged perpetrator is also a trustee, or volunteers or works in another charity; or
- (d) require the charity to provide it with regular updates in relation to any on-going investigation.

A record of all Serious Incident Reports submitted and any follow-up correspondence should be retained, together with copies of any papers that are sent to the Charity Commission. The records must be stored securely, so that they can be referred to at a later date if necessary. Where a Serious Incident report is made on behalf of a PCC, a copy of the report should also be sent to the PCC's Safeguarding Officer and stored securely.

11. What if you need to update your report?

If, after the Serious Incident has been reported, you become aware of any material changes to the facts reported to the Charity Commission or further significant developments occur, you should update your report of the Serious Incident to the Charity Commission using the online form. Where there is no live risk of harm etc, the update it may be, instead, be included in Tab 3 of the bulk report (see Section 9 above).

If an individual against whom allegations were made and which were reported to the Charity Commission as a Serious Incident is subsequently exonerated, or the allegations were found to be false or groundless following further investigation by the charity, police or other agency, the Diocesan Secretary should also update your report to the Charity Commission.

Further guidance on Serious Incident reporting can be found on the Charity Commission website¹¹.

¹¹ Charity Commission Guidance for charity trustees about Serious Incidents: how to spot them and how to report (14 June 2019) <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>