

[Name of DBF] ([Charity Commission registration number])

## Delegation by the DBF Directors: Reporting of Serious Incidents to the Charity Commission

Date: [ <sup>1</sup> ]

### 1. Background

- 1.1 The directors of the [DBF<sup>2</sup>], as charity trustees, are responsible for reporting ALL Serious Incidents to the Charity Commission in a timely manner. The directors delegate the reporting of Serious Incidents in accordance with this Resolution.
- 1.2 The Charity Commission approved specific Church of England guidance for DBFs to use when reporting Serious Incidents to it ("**DBF Guidance**"). The DBF 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 is identified within the [DBF], the Diocesan Safeguarding Adviser (**DSA**) must be informed and the incident responded to and managed in accordance with the relevant House of Bishops' Safeguarding Policy and Guidance.
- 1.4 If a non-safeguarding incident is identified within the [DBF], the Diocesan Secretary (**DS**)<sup>3</sup> should be informed immediately. The DS is responsible for taking such immediate steps or actions as may be required to secure and protect the [DBF's] property, assets and reputation, in accordance with any internal policies or procedures.
- 1.5 Below are two example template resolutions for the [DBF] to complete and adopt.
  - a) Section 2 is a resolution to delegate responsibility for reporting safeguarding Serious Incidents to the Charity Commission and the National Safeguarding Team.
  - b) Section 3 is a resolution to delegate responsibility for reporting non-safeguarding Serious Incidents to the Charity Commission.

### 2. DELEGATION of responsibility to report SAFEGUARDING Serious Incidents to the Charity Commission in accordance with the DBF Guidance

- 2.1 In order to facilitate the confidential and timely reporting of any safeguarding Serious Incidents to the Charity Commission, the responsibility for decisions relating to the reporting of any safeguarding Serious Incidents is delegated to [ROLES / NAMES of trustees<sup>4</sup>]. All references to the Trustee Group in this delegation are references to this smaller group of trustees.

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<sup>1</sup> Insert date resolution passed.

<sup>2</sup> Replace all references to "DBF" in [ ] with the name of your DBF.

<sup>3</sup> If the DS is on holiday, or is implicated in the alleged Serious Incident, the person holding the alternative role in clause 3.2 should be informed instead.

<sup>4</sup> Include list of the smaller group of DBF directors with safeguarding responsibilities.

2.2 *The following responsibilities relating to the reporting of safeguarding Serious Incidents are delegated to the Diocesan Safeguarding Adviser*

- a) Responsibility to decide, in consultation with the DS where appropriate, 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<sup>5</sup>].
- 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 the DSA considers that an incident does NOT need to be reported to the Charity Commission, the DSA is responsible for informing the Trustee Group of the reasons for the decision not to report it which, once agreed with the Trustee Group, should be recorded in writing by the DSA.
- d) Responsibility for reporting the safeguarding Serious Incident using the Charity Commission’s online form [or bulk reporting template, as may be appropriate in each case<sup>6</sup>].
- e) Responsibility for sending copies of any safeguarding Serious Incident reports submitted to the Charity Commission on behalf of the [DBF] to:
  - (i) the Trustee Group (or the DBF trustees where appropriate);
  - (ii) the DS (where appropriate);
  - (iii) the DBF’s auditors; and
  - (iv) the National Safeguarding Team.

**3. DELEGATION of responsibility to report all OTHER Serious Incidents to the Charity Commission in accordance with the DBF Guidance**

3.1 In order to facilitate an appropriate, confidential and timely response to any Serious incidents, the responsibility for decisions relating to the reporting of any non-safeguarding Serious Incidents is delegated to [ROLES / NAMES of trustees<sup>7</sup>]. 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 the Diocesan Secretary or [ROLE<sup>8</sup>]*

- a) Responsibility for deciding whether, in accordance with the DBF 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 the DS considers that an incident does NOT need to be reported to the Charity Commission, the DS is responsible for informing the Trustee Group of the reasons for the decision not to report it which, once agreed with the Trustee Group, should be recorded in writing by the DS.

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<sup>5</sup> Only include if the DBF bulk reports.

<sup>6</sup> Only include if the DBF bulk reports.

<sup>7</sup> Include a list of the smaller group of DBF directors who will have this responsibility.

<sup>8</sup> If the DS is on holiday, or is implicated in the alleged Serious Incident, the person holding the alternative role should undertake the responsibilities delegated to the DS.

### Example template

- d) Responsibility for reporting the Serious Incident using the Charity Commission's online form.
- e) Responsibility for sending copies of any Serious Incident reports submitted to the Charity Commission on behalf of the [DBF] to the Trustee Group (or the DBF trustees where appropriate) and the DBF's auditors.