

BISHOP'S COUNCIL (BC)
Thursday 30 September 2021 at 5:00pm

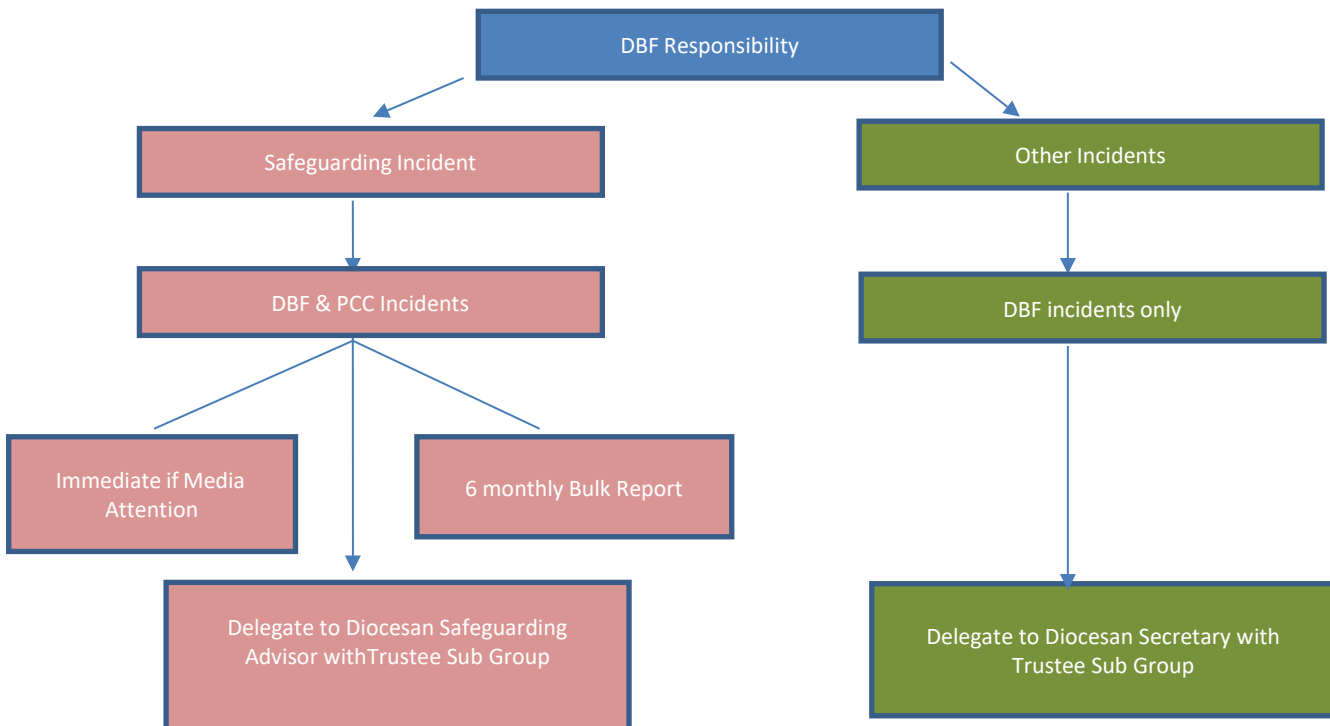
Reporting Serious Incident Guidance

Background

All DBF's as charities and their trustees (DBF directors) are required to report any Serious Incidents both safeguarding and non – safeguarding to the Charity Commission. The Charity Commission defines a serious incident as one that results in, or risks, significant:

- harm to people who come into contact with your charity through its work
- loss of your charity's money or assets
- damage to your charity's property
- harm to your charity's work or reputation

The requirement to report has been in place for a number of years, but the Charity Commission has updated its guidance in October 2018 following recent high profile safeguarding related incidents across the wider charity sector. The House of Bishops' has worked with the Charity Commission to agree bespoke guidance for DBFs on how to identify and report a Serious Incident – this new guidance is in place from 1 January 2019 and was revised in March 2021. The new guidance splits the DBF's responsibilities as follows:



Birmingham Diocesan Board of Finance (Charity Commission registration number- 249403)
Delegation by the DBF Directors: Reporting of Serious Incidents to the Charity Commission
Date resolution agreed: 30th September 2021

1. Background

- 1.1 The directors of the Birmingham Diocesan Board of Finance, 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 and templates 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 Birmingham Diocesan Board of Finance, 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 Birmingham Diocesan Board of Finance, the Diocesan Secretary (**DS**) (or Director of Finance if the DS is absent) should be informed immediately. The DS is responsible for taking such immediate steps or actions as may be required to secure and protect the Birmingham Diocesan Board of Finance property, assets and reputation, in accordance with any internal policies or procedures.

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

- 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 DBF Chair, DBF Vice Chair and the Archdeacons of Aston and Birmingham as trustees of the DBF. All references to the Trustee Group in this delegation are references to this smaller group of trustees.
- 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, 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) 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.
 - e) Responsibility for sending copies of any safeguarding Serious Incident reports submitted to the Charity Commission on behalf of the Birmingham Diocesan Board of Finance to:
 - I. the Trustee Group (or the Birmingham Diocesan Board of Finance trustees where appropriate);
 - II. the DS (where appropriate);
 - III. the Birmingham Diocesan Board of Finance'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 Resolution

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 the DBF Chair, DBF Vice Chair and the Archdeacons of Aston and Birmingham as trustees of the DBF. 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 Director of Finance*

- 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.