

THE JOINT COUNCIL OF HOLY TRINITY AND ST JAMES'

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

The following policy was agreed at the Joint Church Council (JCC) meeting held on 24/09/2024.

1. Background

- 1.1 The members of the Holy Trinity and St James JCC, 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 JCCs to use when reporting Serious Incidents to it ("**JCC Guidance**"). The JCC 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 occurs, the Safeguarding Officer (or, where there is no employed safeguarding officer, the person with responsibility for safeguarding in the JCC) (**JCCSO**) must inform the Diocesan Safeguarding Adviser (**DSA**) and respond to and manage the incident in accordance with the relevant House of Bishops' Safeguarding Policy and Guidance.
- 1.4 Where a non-safeguarding incident is identified, the Vicar or Churchwarden should be informed immediately¹. The Vicar or Churchwarden is responsible for taking such immediate steps or actions as may be required to secure and protect the [JCC's]

¹ Space for the inclusion of two roles has been included, so that if one of them is implicated in the alleged Serious Incident, the person holding the alternative role in clause 3.2 should be informed instead. ⁵ If your JCC is too small to delegate safeguarding issues to a small group of trustees, delete para 2.2 and replace all references to "*JCC's Trustee Group*" in this document with "*JCC's trustees*". ⁶ Include list of the smaller group of JCC members with safeguarding responsibilities.

property, assets, and reputation, in accordance with any internal policies or procedures.

1.5 Below are two example template resolutions for the JCC to complete and adopt.

1.5.1 Section 2 is a resolution to delegate responsibility for reporting safeguarding Serious Incidents to the Charity Commission and the National Safeguarding Team.

1.5.2 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 JCC Guidance

2.1 [5In 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 Safeguarding Officer. All references to the Trustee Group in this delegation are references to this smaller group of trustees.]

2.2 *The following responsibilities are delegated to the JCC Safeguarding Officer/s²*

- 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:

² Where there is no safeguarding officer, this is a reference to the person with responsibility for safeguarding in the JCC.

- 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 (i.e. one which will be individually reported);
- providing the JCC's trustees with a copy of any safeguarding Serious Incident reports submitted to the Charity Commission by the Diocesan Secretary (**DS**) on behalf of the JCC.

2.4 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 JCCSO 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 JCCSO with an explanation of this decision, so the JCCSO 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 (i.e. one which is to be individually reported), the DSA is responsible for providing the draft report to the JCCSO for approval by the JCC's trustees.
- The DS is responsible for submitting safeguarding Serious Incident reports to the Charity Commission, on behalf of the JCC'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 JCCSO.

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

- 3.1 The Vicar or the Churchwarden is responsible for deciding whether, in accordance with the JCC 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 JCC's trustees and recorded in writing by the Vicar.
- 3.2 The Vicar or Churchwarden 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 JCC's trustees for approval.
- 3.3 The Vicar is responsible for providing the JCC's trustees with a copy of any Serious Incident report submitted to the Charity Commission.

Incumbent: Revd Rebecca Elliott

PSO Holy Trinity: Sue Fox

PSO St James: Sue Fox