

Section 1 - Purpose

3 minutes read

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Version: 1

The management of conflicts of interest in the work of Core Groups is addressed in the existing [Practice Guidance: Responding to, assessing and managing safeguarding concerns or allegations against church officers](#) ("Core Groups" will be renamed "Safeguarding Case Management Groups" (SCMG) when this is revised).

This policy builds on the above-named guidance and seeks to develop a culture of self-declaration by members of Core Groups / SCMGs in the wider safeguarding work in the Church of England. It provides further advice for Chairs of Core Groups / SCMGs to identify and manage conflicts of interest. It applies to safeguarding work in general, and specifically to Church Officers with safeguarding responsibilities, as outlined in the Church of England [Key Roles and Responsibilities of Church Office Holders and Bodies Practice Guidance](#).

What are conflicts of interest?

Within this policy, conflicts of interest include situations of potential or actual risk that the judgement, decision-making and commitment of a member of a Core Group / SCMG has been (or may be) affected by secondary issues. These can include:

- Familial relationships, for example, with a respondent or someone who has reported abuse.
- Social ties – for instance friendships or godparentships - to a respondent or to someone reporting abuse.
- Professional connections to a respondent or a victim or survivor, which may affect the ability or desire of the core group / SCMG member to prioritise the safety and wellbeing of a victim or survivor or reach an impartial judgement about the issues.
- Financial relationships with a respondent, or a victim or survivor.
- A Core Group / SCMG member having personal or material interests in the outcome of the process.
- A Core Group / SCMG member having knowledge of the case to be managed by the Core Group or SCMG where they are also a potential witness for any criminal prosecution or other legal investigation(s).

People in these situations may become conflicted or feel that they have a conflict of interest because:

- Their relationship to a respondent or a victim or survivor may lead to a perception of conflict of interest or an actual conflict may arise from their loyalty to the person(s).
- They may be providing pastoral or spiritual support to a respondent or a victim or survivor; making it difficult for them to exercise impartial judgement or that there may be the perception that this is the case.
- Professionally, they are the line manager of the respondent or the victim or survivor and they are concerned that they do not have the

requisite distance and impartiality from the matter being considered by the core group or SCMG.

- They may be competitors with the respondent or the victim or survivor for role(s) within the Church or Church Body – this can lead to concerns that they will not exercise impartiality.
- In the past they have initiated disciplinary action or other performance-management related processes in respect of the respondent or the victim or survivor and so they may be concerned that they do not have the necessary distance from the matter.

A member of a Core Group / SCMG should be regarded as having a perceived conflict of interest if a fair-minded person in possession of the material facts would consider that there was a real possibility that the member's personal interests or loyalties could prevent the member from acting objectively, fairly, and impartially.

A suggestion that a member of a Core Group / SCMG has a perceived conflict does not necessarily mean that they should be treated as actually having a conflict of interest. This is because the person alleging the existence of a conflict of interest might have an incorrect understanding of the relevant facts or might have an unreasonable view of what properly amounts to a conflict of interest.

Notwithstanding the above, any actual or perceived conflicts can undermine confidence in the fairness and transparency of the work of the Core Group / SCMG and must therefore be addressed immediately.

Section 2 - Guiding Principles

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The safeguarding needs of people in all Church Bodies should be of paramount consideration to all Church Officers. To do this, people involved in safeguarding must be objective about what 'safeguarding' means and take an impartial approach.

However, there are different diocesan arrangements for managing safeguarding depending on the size, resources and needs of the diocese and its existing traditions. In different dioceses Chairs of Core Groups / SCMGs can be Archdeacons, DSAs, Diocesan Secretaries or HR Directors - this is recognised in the procedures in Parts 3 & 4 below.

In all diocesan contexts, the underpinning principle for the procedures below is self-declaration: members are responsible for checking and notifying the DSA or the Chair of the Core Group / SCMG of any conflicts that arise for them at any point of the safeguarding process.

The principle of self-declaration is foundational because in some situations only the member of the Core Group / SCMG can know and tell whether they are potentially conflicted. For example, a member of Core Group / SCMG might hope to obtain a benefit from a respondent (e.g. preferment or access to charitable funds of which the respondent is a trustee) while also being involved in their safeguarding investigations.

The scenario described above could, depending on the situation, amount to a potential conflict. However, this would be difficult to identify without self-declaration by the member.

No one should be involved in a Core Group / SCMG which is managing a safeguarding case in which they are related, married, are godparents or, are in a relationship with the respondent or the person reporting abuse.

No-one should be involved in a Core Group / SCMG which is managing a safeguarding case in which they have a financial relationship or external business arrangement (for instance directorship in their company, joint ownership of a company, contracts between companies that they separately own etc) with the respondent or the person(s) reporting abuse.

If a respondent or a victim or survivor reports that a member of the Core Group / SCMG is conflicted, this should be addressed by the Chair immediately and they should document their decision.

Section 3 - Procedures

4 minutes read

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These procedures are based on a four-stage process for identifying and managing conflicts of interest.

Stage 1: Convening the Core Group / SCMG

- DSAs are responsible for convening Core Groups / SCMGs. At this point they should be alert to any conflicts of interest in the membership and screen appropriately. DSAs should discuss any identified conflicts with the Chair so that this is addressed immediately.
- If the conflict of interest involves the Chair, this should be treated differently from that of the other members because the latter has more power and authority to affect proceedings. This means that any perceived or actual conflict of the Chair should be addressed, and the decisions about their position in relation to that Core Group / SCMG documented.
- Where the Chair is an Archdeacon and the respondent is a member of clergy that they know in a personal capacity, careful consideration should be given to whether this may lead to an actual or perceived conflict of interest as outlined in Part 1 above. If this occurs, they must be replaced by a different Archdeacon or suitable person.
- Where a DSA is conflicted (whether perceived or actual) they should report this to their line manager immediately.
- Where the Chair identifies a potential, actual, or perceived conflict but they believe that this is manageable, they should share this with the Core Group / SCMG, and it should also be noted in the minutes.

Stage 2: Self-declaration by members

- In connection with an actual or potential conflict of interest, all Church Officers have a responsibility to declare this to the Chair when they are appointed to a Core Group / SCMG.
- In some cases, Church Officers may not know that they are conflicted until the first meeting. They should declare this as soon as they become aware. They should declare all the facts, the nature of the conflict and how it arises to the Chair and/or the DSA.

Stage 3: Conflict of interest and agendas of Core Groups / SCMGs

- A self-declaration of conflict of interest should be on the agenda of every Core Group / SCMG meeting. The Chair should ask members the questions in paragraph 10 below.
- Does any member have:

A familial relationship with the respondent or the person reporting abuse?

- Any close social relationships to the respondent or the person reporting abuse (this also includes godparentships)?
- A current and/or previous professional connection with the respondent or the victim or survivor (this also includes voluntary work)?
- Any financial connections with the respondent or the person reporting abuse? This may also include regular gifts, hospitality or other forms of goodwill, 'acts of kindness' etc?
- Any association with the respondent or the person reporting abuse arising from membership of another group outside the Church e.g. social club, sports club etc.
- Any other connection with the respondent or the person reporting abuse that the Core Group / SCMG should be made aware of.

Stage 4: Managing conflicts of interest

When a conflict of interest is declared or observed, the Chair should ensure that it is recorded in the minutes of the meeting.

Potential outcomes of declarations or observations of conflicts of interest

The Chair should then decide whether a) there is a perceived, potential or actual conflict and, if so b) whether it is significant enough to impact on the member's ability to be impartial, objective and fair; and whether they should remain on the Core Group / SCMG.

The options for the Chair to resolve the situation are:

- Member recuses him/herself - the Chair can agree or disagree with the member who is conflicted that they should be recused from the work of the Core Group / SCMG.
- The Chair can remove a member of the Core Group / SCMG who they believe is conflicted (perceived or actual).
- The Chair can ask the conflicted member to continue in a limited role on the Core Group / SCMG if there is a compelling justification in terms of the management of risk. The rationale for such a decision must be documented.
- Where a Core Group / SCMG member will be required to give evidence in court about the issues being addressed, the DSA should get legal advice and check with the police whether their membership of the Core Group / SCMG will compromise the ongoing investigation.

The decision of the Chair, including their reasons for reaching that outcome, should be documented and including in the minutes of the Core Group / SCMG.

