**[Name of DBE]**

**([Charity Commission registration number])**

**Delegation by the members of the DBE: Reporting of Serious Incidents to the Charity Commission**

**Date: [ [[1]](#footnote-1) ]**

1. **Background**
	1. The members of the [DBE[[2]](#footnote-2)], as charity trustees, are responsible for reporting ALL Serious Incidents to the Charity Commission in a timely manner, in accordance with the Charity Commission’s guidance[[3]](#footnote-3).
	2. The House of Bishops has issued specific Church of England safeguarding guidance for DBEs, under s.5 of the Safeguarding and Clergy Discipline Measure 2016, which has been reviewed by the Charity Commission (“**DBE Safeguarding SIR Guidance**”). DBEs have a legal duty to have due regard to DBE Safeguarding SIR Guidance when reporting safeguarding Serious Incidents to the Charity Commission.
	3. If a safeguarding incident is identified within the [DBE] the incident must be responded to, reported and managed in accordance with the relevant House of Bishops’ Safeguarding Policy and Guidance or Code of Practice[[4]](#footnote-4), as the case may be.
	4. If a non-safeguarding incident is identified within the [DBE], such immediate steps or actions as may be required to secure and protect the [DBE’s] property, assets and reputation must be taken, in accordance with the [DBE’s] internal policies or procedures.
	5. The members of the [DBE] delegate the reporting of Serious Incidents to the Charity Commission in accordance with the resolutions in sections 2 and 3 below. There are separate delegations for reporting safeguarding and non-safeguarding Serious Incidents to the Charity Commission to reflect the additional requirements in relation to reporting safeguarding Serious Incidents as provided for in the DBE Safeguarding SIR Guidance.
		1. Section 2 is a resolution to delegate responsibility for reporting safeguarding Serious Incidents to the Charity Commission and the National Safeguarding Team.
		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 DBE Safeguarding SIR Guidance**
	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[[5]](#footnote-5)]. All references to the Trustee Group in this delegation are references to this smaller group of trustees.
	2. [Name of role/person[[6]](#footnote-6)] is the DBE’s nominated Safeguarding Serious Incident Reporter for the purposes of the DBE Safeguarding SIR Guidance.
	3. *The following responsibilities relating to the reporting of safeguarding Serious Incidents are delegated* *to the DBE Safeguarding Serious Incident Reporter*
3. Responsibility to decide, in consultation with the [ [[7]](#footnote-7)] where appropriate, whether a safeguarding incident is sufficiently “Serious” in accordance with the DBE Safeguarding SIR Guidance for it to be reported to the Charity Commission.
4. Responsibility for informing the Trustee Group of the incident, the steps being taken to address it and whether it is sufficiently “Serious” to be reported to the Charity Commission.
5. If the DBE Safeguarding Serious Incident Reporter considers that an incident does NOT need to be reported to the Charity Commission, the DBE Safeguarding Serious Incident Reporter is responsible for informing the Trustee Group of the reasons for the decision not to report it to the Charity Commission. These reasons should be agreed with the Trustee Group and recorded in writing by the DBE Safeguarding Serious Incident Reporter.
6. Responsibility for reporting the safeguarding Serious Incident using the Charity Commission’s online form.
7. Responsibility for sending copies of any safeguarding Serious Incident reports submitted to the Charity Commission on behalf of the [DBE] to:
	1. the Trustee Group (or all the DBE members where appropriate);
	2. the DDE (where appropriate);
	3. [the Diocesan Safeguarding Advisor for the diocese];
	4. the DBE’s auditors; and
	5. the National Safeguarding Team.
8. **DELEGATION of responsibility to report all OTHER Serious Incidents to the Charity Commission**
	1. [[[8]](#footnote-8)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[[9]](#footnote-9)]. All references to the Trustee Group in this delegation are references to this smaller group of trustees.]
	2. *The following responsibilities relating to the reporting of NON-SAFEGUARDING Serious Incidents are delegated* *to the [ROLE[[10]](#footnote-10)]* or *[ROLE[[11]](#footnote-11)]*
		1. Responsibility for deciding whether, in accordance with the Charity Commission’s Guidance, the incident is sufficiently Serious to require reporting to the Charity Commission.
		2. Responsibility for informing the [Trustee Group/trustees] of the incident, and the steps being taken to address it and whether it needs to be reported to the Charity Commission.
		3. If the [Role] considers that an incident does NOT need to be reported to the Charity Commission, the [Role] is responsible for informing the [Trustee Group/trustees] of the reasons for the decision not to report it to the Charity Commission. These reasons should be agreed with the [Trustee Group/trustees] and should be recorded in writing by the [Role].
		4. Responsibility for reporting the Serious Incident using the Charity Commission’s online form.
		5. Responsibility for sending copies of any Serious Incident reports submitted to the Charity Commission on behalf of the [DBE] to the [Trustee Group (or all the DBE members where appropriate)/trustees] and to the DBE’s auditors.
1. Insert date resolution passed. [↑](#footnote-ref-1)
2. Replace all references to “DBE” in [ ] with the name of your DBE. [↑](#footnote-ref-2)
3. [How to report a serious incident in your charity - GOV.UK (www.gov.uk)](https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity) [↑](#footnote-ref-3)
4. [Safeguarding e-manual | The Church of England](https://www.churchofengland.org/safeguarding/safeguarding-e-manual) [Policy and practice guidance | The Church of England](https://www.churchofengland.org/safeguarding/policy-and-practice-guidance) [↑](#footnote-ref-4)
5. Include list of the smaller group of DBE directors with safeguarding responsibilities. [↑](#footnote-ref-5)
6. If that person 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. [↑](#footnote-ref-6)
7. Insert role of person to be consulted - this could be one or more of the DSA, the DDE or a safeguarding professional appointed by the DBE. [↑](#footnote-ref-7)
8. Include if required/appropriate for your DBE. [↑](#footnote-ref-8)
9. Include a list of the smaller group of DBE members who will have this responsibility. [↑](#footnote-ref-9)
10. Insert role to reflect your DBE’s policy. [↑](#footnote-ref-10)
11. If the person in the previous role specified is on holiday, or is implicated in the alleged Serious Incident, the person holding the alternative role should undertake the responsibilities in their place. [↑](#footnote-ref-11)