



CATHEDRALS MEASURE 2021

GUIDANCE ON THE VISITATION OF CATHEDRALS

I. What is the status and purpose of this guidance?

- I.1 This guidance is issued by the Church Commissioners in relation to the bishop's functions as Visitor of a cathedral¹. Section 10(6) of the Cathedrals Measure 2021 (the **2021 Measure**) requires a bishop, in the exercise of his or her functions as Visitor, to have due regard to this guidance. The legal duty to have due regard means that the bishop, in the exercise of his or her functions as Visitor, is not free to follow this guidance or not as the bishop may choose. As a matter of law, this guidance should be given great weight and must be followed unless there are 'cogent reasons' for not doing so.
- I.2 This guidance does not apply to Christ Church Cathedral, Oxford, as the 2021 Measure does not apply to that cathedral and this guidance is produced pursuant to the 2021 Measure.
- I.3 The 2021 Measure confers a new statutory power on bishops to undertake a review of such aspects of their cathedral's financial affairs, governance, management, operation or mission as the bishop considers necessary or appropriate (a **Review**)². This new statutory power for a bishop to conduct a Review is entirely separate from the bishop's power to conduct a Visitation. The Church Commissioners are issuing guidance in relation to the conduct of Reviews³.
- I.4 The Charity Commission and Church Commissioners entered into a Memorandum of Understanding on 25 February 2022 (the **MoU**) which provides for how the Charity Commission and Church Commissioners will work together in relation to the regulation of cathedrals. This guidance reflects the principles set out in section 5 of the MoU (the **MoU Principles**), which address how the Charity Commission and the Visitor of a cathedral should liaise with each other if either:
 - (a) a bishop decides to hold a cathedral Visitation; or
 - (b) the Charity Commission decides to open a Statutory Inquiry into, or exercise other regulatory powers in relation to, a cathedral.
- I.5 The MoU Principles provide for both the Charity Commission and the Visitor to liaise and share such information as they may lawfully share when exercising their respective regulatory powers, but do not seek to restrict the Charity Commission or the Visitor from discharging their respective functions or exercising their respective powers.

¹ All references in this guidance to the Visitor are to the bishop of the diocese or the archbishop of the province where the archbishop exercises their power to conduct an archepiscopal visitation.

² Cathedrals Measure 2021 sections 9(6) – 9(9).

³ [Insert link to the guidance once available.](#)

- 1.6 The MoU Principles are set out in the Annex to this guidance.
- 1.7 This guidance explains:
- (a) the role and jurisdiction of the bishop as the cathedral Visitor;
 - (b) when and how the Visitation of a cathedral may be held;
 - (c) when the Visitor should inform and liaise with the Church Commissioners and the Charity Commission, as the co-regulators of cathedrals, before, during and after a Visitation; and
 - (d) how the Visitor's determinations or directions may be enforced.
- 1.8 As Visitations are fairly uncommon and tend to be undertaken in response to specific serious concerns, this guidance seeks to be generic so it can be applied to any cathedral Visitation.

2. Who is the Visitor of a cathedral?

- 2.1 The bishop as the Ordinary is the Visitor of the cathedral in his or her diocese and the constitution of each cathedral must provide accordingly⁴.
- 2.2 The Archbishop of the Province, as the metropolitan, may also hold a Visitation of any cathedral in their Province⁵.

3. What jurisdiction does the Visitor have in a cathedral?

- 3.1 During a Visitation, an archbishop or bishop may:
- “perform all such acts as by law and custom are assigned to his charge in that behalf for the edifying and well-governing of Christ's flock, that means may be taken thereby for the supply of such things as are lacking and the correction of such things as are amiss.”⁶*
- 3.2 The Visitor exercises a quasi-judicial function⁷ and may inquire into, make determinations and give directions in relation to:
- (a) whether a cathedral's constitution and statutes are being observed⁸;
 - (b) whether those with duties to perform under the cathedral's constitution and statutes are performing those duties⁹;
 - (c) hearing and determining any question as to the construction of the cathedral's constitution and statutes¹⁰;
 - (d) safeguarding policy and practice in the cathedral in accordance with the cathedral's constitution and statutes or any other applicable legal requirements;
 - (e) the financial management of the cathedral in accordance with the cathedral's constitution and statutes or any other applicable legal requirements;

⁴ Cathedrals Measure 2021 s.10(1) and Canon G5(1)

⁵ Canon G5(1).

⁶ Canon G5(1).

⁷ Unless a Visitation is solely pastoral in nature.

⁸ Cathedrals Measure 2021 s.10(4)

⁹ Cathedrals Measure 2021 s.10(4)

¹⁰ Cathedrals Measure 2021 s.10(2)

- (f) the administration of the cathedral’s property in accordance with the constitution and statutes or any other applicable legal requirements; and
 - (g) the making of (or the intention to make) alterations to the cathedral building in contravention of s.2 of the Care of Cathedrals Measure 2011 (the “**2011 Measure**”)¹¹.
- 3.3 In addition to the specific matters listed above, the bishop has various general powers as Visitor which derive from the common law and cannot be set out exhaustively here. They include the power to inquire into the condition of the fabric of the cathedral church and to give orders as to its maintenance. Although they no longer include the power to hear and determine allegations of misconduct¹² against clergy or to impose any penalty, a Visitation might reveal matters capable of amounting to misconduct and result in a recommendation that proceedings under the relevant disciplinary legislation should be considered¹³. Subject to that, the Visitor continues to have the power to hold a Visitation “*to allay certain dissensions, and remedy certain grievances*”¹⁴.
- 3.4 The Visitor may, if doing so is incidental to a Visitation, inquire into but does not have the jurisdiction to make determinations and give directions in relation to:
- (a) criminal offences¹⁵; or
 - (b) matters which are based solely on a contract between two parties and which do not involve the constitution and statutes of the cathedral. For example, if a company which entered into a contract to do work or provide a service for the cathedral claimed that it had not been paid the amount laid down by the contract and wished to take legal proceedings to enforce its rights, it would go the secular courts and not to the Visitor. Similarly, the Visitor could not determine a claim by an employee of the Chapter for wrongful dismissal from their employment.
- 3.5 The Visitor does not have the power to remove a member of the cathedral clergy from their ecclesiastical office.
- 3.6 The Chapter – or an individual – has recourse to judicial review if it considers that the Visitor has exceeded his or her jurisdiction¹⁶.

4. When can a Visitation be held?

- 4.1 A Visitation is normally held at the bishop’s instigation, when he or she considers it desirable or necessary to hold a Visitation and the bishop may hold a Visitation at the request of the Chapter¹⁷. However, when the Chapter of the cathedral has contravened, or is about to contravene, s.2 of the 2011 Measure, the bishop is required to hold a special Visitation to inquire into the matter¹⁸.

¹¹ Care of Cathedrals Measure 2011 Part 3

¹² I.e. an offence against the laws ecclesiastical involving matter of doctrine, ritual or ceremonial for which proceedings may be taken under the Ecclesiastical Jurisdiction Measure 1963, or misconduct for which proceedings may be taken under the Clergy Discipline Measure 2003.

¹³ *In the Matter of the Visitation of the Archbishop of York of the Dean and Chapter of York* (1841) 2 QB 1

¹⁴ Phillimore, *Ecclesiastical Law of the Church of England* (1895), 169.

¹⁵ *Boyd & ors. v Phillpotts* (1874) LR 4 A&E 297 at 341 – any criminal offence detected should be referred to the police.

¹⁶ It is possible that there continues to be a right of appeal to the Dean of the Arches or the Auditor of the Chancery Court of York in that person’s capacity as official principal of the Archbishop of the Province.

¹⁷ Cathedrals Measure 2021 s.10(3). The Chapter can decide to request a Visitation from the bishop by passing a resolution to that effect.

¹⁸ Care of Cathedrals Measure 2011 s.16(1)

- 4.2 A bishop is not required to (but may) conduct a periodic Visitation of his or her cathedral.

5. What form can a Visitation take?

A Visitation can take one of two forms:

5.1 General Visitation

A general Visitation is one which considers all aspects of the life of the cathedral, with a focus on specific aspects such as governance, leadership and management, safeguarding, finances, prayer and mission. Where a bishop is proposing to conduct a Visitation of a solely pastoral nature the bishop should consider whether it would be more appropriate in the circumstances to undertake a Review or a Visitation.¹⁹

5.2 Special Visitation

A special Visitation is held when the bishop decides it is necessary to investigate one or more specific matters or issues of concern, rather than inquiring into the cathedral's life more generally.

Part 3 of the 2011 Measure provides for when and how a special Visitation must be held if it appears to the bishop that the Chapter has contravened, or is about to contravene, s.2 of the 2011 Measure. The 2011 Measure contains specific provisions about the procedure to be followed and the Visitor's powers in relation to that type of special Visitation.

- 5.3 Visitation (except where it is of a solely pastoral nature) is a quasi-judicial process and should be conducted in accordance with the principles of natural justice at all times. These require that the decision maker must not be biased, and that a person affected by a decision must be given an opportunity both to state his or her own case and to know and answer the opposing case.

6. What steps should be taken by the bishop before holding a Visitation?

- 6.1 Before deciding to conduct a Visitation, the bishop should:

- (a) Seek legal advice from his or her diocesan registrar²⁰.
- (b) Consider this guidance and the Church Commissioners' guidance on conducting a Review to ascertain whether a Visitation or a Review would be the more appropriate mechanism in the circumstances.
- (c) Inform the Secretary of the Bishops and Cathedrals Committee or, in the Secretary's absence, the CEO of the Church Commissioners that a Visitation is being considered so that a meeting can be arranged to discuss:
 - (i) whether any additional funding may be required from the Church Commissioners to meet the costs incurred by the bishop in conducting the

¹⁹ See separate Church Commissioners' guidance on Reviews [\[Insert link to the guidance once available\]](#).

²⁰ The bishop may appoint a legal adviser who is not the registrar and must do so if the registrar is conflicted due to the subject matter of the Visitation. The bishop may contact the Legal Office of the NCIs for assistance in finding alternative independent legal advisers.

Visitation, including any administrative support required to assist the commissaries; and

- (ii) arranging for the Church Commissioners to inform the Charity Commission, as co-regulator of cathedrals, of the bishop's intention to conduct a Visitation.

6.2 Following the bishop's initial meeting with the Church Commissioners and before the Visitation commences, the bishop and the Charity Commission should discuss the nature and scope of the proposed Visitation and:

- (a) consider whether, and to what extent, any of the aspects of cathedral life which the bishop intends to inquire into during the Visitation may also be of regulatory interest to the Charity Commission. Where any matters within the intended scope of the Visitation are also within the regulatory jurisdiction of the Charity Commission, the Visitor and Charity Commission should seek to agree the extent to which it would be appropriate for the Visitor and Charity Commission to co-ordinate and liaise in relation to such matters.
- (b) agree how the Charity Commission will be kept informed about the Visitation's progress (and, if applicable, how the Visitor will be kept informed about the progress of any coterminous or related inquiry to be conducted by the Charity Commission).

6.3 A Visitation may be held by the bishop in person, but this is not recommended and so the bishop will need to appoint one or more commissaries to whom functions relating to the Visitation are delegated. In recent times it has become usual for the inquiry stage of Visitations to be conducted by a small group of commissaries who have been selected on the basis of their specialist knowledge of the matter(s) to be investigated.

6.4 It will normally be necessary for the commissary (or one of the commissaries) to be legally qualified. That might be the Chancellor of the diocese in the capacity of Vicar General of the diocese; but if not, it is recommended that the bishop consults the Vicar General before proceeding. The bishop can approach the Church Commissioners and/or the Legal Office of the NCIs for assistance to identify those who may be suitable (and/or may have specific specialist expertise sought) to act as a commissary in respect of that Visitation.

7. Preparing the Citation and Articles of Inquiry for a Visitation

7.1 The bishop will need to decide whether to delegate the entirety of the bishop's functions in respect of the Visitation to the commissary or commissaries, or to delegate only the power to inquire into matters. Where the bishop delegates the entirety of the bishop's functions, the commissary or commissaries carry out the Visitation in its entirety, inquiring into the matters in question, determining those questions and issuing directions on behalf of the bishop. Where the bishop delegates only the power to inquire into matters, the commissary or commissaries carry out the inquiry and report their findings to the bishop, usually with recommendations. The bishop then decides whether to accept the recommendations and gives such directions as the bishop thinks fit.

7.2 A Visitation is commenced by the bishop serving a Citation on the Chapter to which are annexed written Articles of Inquiry which must be signed and sealed by the bishop.

The Legal Office of the NCIs should be contacted for a template Citation and template Articles of Inquiry so that these documents are prepared in the correct form.

- 7.3 The Citation requires the persons named in it (i.e. the members of the Chapter²¹ and any other persons to whom the Visitation relates) to appear before the Visitor or commissary at a specified date, time and place to answer any or all of the questions set out in the Articles of Inquiry. That marks the formal commencement of the Visitation which may then be adjourned as necessary to future dates. The Citation may state that the persons cited may be legally represented.
- 7.4 The Articles of Inquiry should specify whether the Visitation is general or special in nature and must set out the areas of inquiry which the bishop intends to investigate during the Visitation. The Articles of Inquiry should also specify any particular information which the Chapter is required to provide.
- 7.5 The bishop should seek legal advice and consult the legally qualified commissary (if there is one) when preparing the Articles of Inquiry to ensure that they do not exceed the bishop's jurisdiction and that they meet the particular circumstances of the case.
- 7.6 In addition, where any matters within the intended scope of the Visitation are also within the regulatory jurisdiction of the Charity Commission, the bishop should liaise with and seek the Charity Commission's comments on the Articles of Inquiry as agreed in the initial discussions (see Para 6.2 above).
- 7.7 Before or alongside serving the Articles of Inquiry on the Chapter, the bishop can write or speak to the Chapter informally, to explain why the Visitation is being held, what its purpose is and to introduce those persons to whom he or she has delegated inquiry powers.
- 7.8 The bishop must seek advice from the diocesan registrar²² on the appropriate legal basis for data processing during the Visitation²³ and the diocesan registrar²⁴ must provide suitable privacy notices for the commissaries to provide to all those participating in the Visitation. The privacy notices provided to participants should explain the legal basis on which the commissaries will process their data, how the information they provide to the commissaries will be used, how long it will be retained and with whom it may be shared²⁵.

8. Conducting a Visitation

- 8.1 The bishop or commissaries should seek to ensure that the duration of a Visitation is no longer than is reasonably required to carry out the Visitation. The bishop and the commissaries should agree a provisional timetable at the outset and keep it under review. It is good practice to provide the Chapter with an initial indication of the anticipated timescales based on this provisional timetable and to update the Chapter accordingly should it become evident that more time will be needed to complete the Visitation.

²¹ Chapter members must appear before the Visitor or commissaries if named in the Citation.

²² Or such other person who has been appointed as the bishop's legal adviser in relation to the Visitation.

²³ It is anticipated that legal obligation, rather than consent, will more usually be an appropriate legal basis, due to the ability of participants to withdraw their consent at any point and the legal powers being exercised in the conduct of a Visitation.

²⁴ Or such other person who has been appointed as the bishop's legal adviser in relation to the Visitation.

²⁵ A basic template Privacy Notice to be used for Visitations is available from the Legal Office of the NCIs.

- 8.2 During a Visitation, the bishop or commissary²⁶ may from time to time give such written directions to the Chapter with respect to the matter under inquiry as he or she thinks fit. However, before giving directions to the Chapter or making any determinations:
- (a) legal advice should be sought from the diocesan registrar;²⁷ and
 - (b) if so agreed with the Charity Commission prior to the Visitation commencing, (see Para 6.2) the Charity Commission should be consulted or informed.
- 8.3 During a Visitation, the dean and the Chapter do not have the power to act in relation to the matter under inquiry without the prior approval in writing of the bishop²⁸. Where a general Visitation is held, the bishop should provide written authority setting out those matters in relation to which the dean and the Chapter may each act (or reserving matters in relation to which they may not act) during the Visitation²⁹.
- 8.4 The Visitor may approach the Charity Commission for advice on charity law or charity regulation to the extent that this may be relevant to the conduct of the Visitation.
- 8.5 If a special Visitation is held under the 2011 Measure in respect of unlawful alterations to the cathedral church:
- (a) the processes and requirements set out in Part 3 of the 2011 Measure must be complied with; and
 - (b) during the special Visitation, the Chapter has no power to act as such with regard to the matter under inquiry without the prior approval in writing of the bishop.
- 8.6 During the course of a Visitation the bishop may give such directions to the Chapter, to the holder of any office in the cathedral or to any person employed by the cathedral as will, in the opinion of the bishop, as Visitor, better serve the due observance of the constitution and statutes³⁰.
- 8.7 If, during the Visitation, the bishop considers a serious incident (being an incident considered to be “serious” in the Charity Commission’s guidance³¹) has or may have occurred, the Visitor should, where appropriate, share such information as they may lawfully share with the Charity Commission as is relevant to the serious incident, and will otherwise encourage the Chapter’s trustees to report serious incidents to the Commission as appropriate. The Charity Commission may then form a view on whether it ought to take any regulatory action. The bishop should seek legal advice from the diocesan registrar³² to ascertain whether any such information may be lawfully shared with the Charity Commission.

9. What determinations or directions can a Visitor make?

- 9.1 Matters that the bishop has reserved must be determined by the bishop, in the light of the commissaries’ report.

²⁶ Unless the delegated power is to inquire into matters only.

²⁷ Or such other person who has been appointed as the bishop’s legal adviser in relation to the Visitation.

²⁸ Canon G5(2). This is technically referred to as the inhibition of inferior jurisdictions and should be set out in the Citation.

²⁹ This is technically referred to as the grant of relaxations.

³⁰ Cathedrals Measure 2021 s.19(4)

³¹ See [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).

³² Or such other person who has been appointed as the bishop’s legal adviser in relation to the Visitation.

- 9.2 As Visitation is a quasi-judicial process, the bishop should provide those criticised in the commissaries' report with an opportunity to challenge the findings about them on which criticism of them or directions in the bishop's written determination are based, before the determination is made public. Not to do so would be contrary to the principles of natural justice. It will depend on the nature and extent of the criticism of each individual or body as to what may be required in order to provide a person criticised with a reasonable opportunity to challenge the findings about them in the commissaries' report. Where the criticism is considerable, or is made in a number of places in the commissaries report, the bishop should consider sharing the commissaries' report with that person or body (such as the Chapter)³³. However, if the criticism is limited it may be that putting the matters to a person orally in an interview will suffice. Bishops should seek legal advice on what ought to be shared in each situation.
- 9.3 Where there are specific findings in the commissaries' report which need to be kept confidential, such as safeguarding matters where it is necessary to protect the identity of underage or vulnerable victims, such findings can be confined to a "Part 2" of the report. An explanation should be provided in the main report as to why some of the commissaries' findings need to be kept confidential. The bishop should seek legal advice on whether any findings in the commissaries' report should be placed in a "Part 2" of the report and remain confidential. In deciding whether or not a matter should remain confidential, regard should be had to those matters which the family courts consider should remain confidential.
- 9.4 All or part of the commissaries' report to the bishop, together with the draft written determination, should be shared with the Church Commissioners.
- 9.5 All or part of the commissaries' report to the bishop, together with the draft written determination, should be shared with the Charity Commission in accordance with any agreement reached between the bishop and the Charity Commission before the Visitation commenced (see Para 6.2), and subject to any redactions as may be necessary to comply with a legal requirement binding on the bishop in this regard. No determination should be issued which, in the view of the Charity Commission, would result in a breach of charity law.
- 9.6 At the end of the Visitation the formal findings, recommendations, directions and decisions are set out in the bishop's written determination, which must be delivered to the Chapter and a copy sent to the Church Commissioners and the Charity Commission.
- 9.7 The written determination may include pastoral guidance, as well as legally binding directions. Any directions made must only be to ensure due observance of the constitution and statutes or other relevant legal requirements and so must be framed as such. The bishop should not seek to use directions to take over the Chapter's role in governing the cathedral or giving instructions to the Chapter on matters which are properly within the Chapter's discretion to decide. This is because the bishop, as Visitor, is entitled to ensure that the Chapter takes any decisions on a proper, lawful basis; the bishop, as Visitor, is not entitled to tell the Chapter what to decide.
- 9.8 Before giving directions or making decisions, the bishop should seek legal advice as appropriate.

³³ Subject to 9.3 below.

- 9.9 Prior to publishing the written determination, the bishop may, in his or her absolute discretion, choose to share it in draft form with the Chapter and any Chapter committee (or with the chairs of such committees) to seek comments on the proposed directions.
- 9.10 The bishop's written determination must contain a summary of the relevant facts and the reasons which form the basis for the making of any decision or direction in the determination. The written determination should also provide enough information, and be drafted with sufficient clarity, to reduce the opportunity for a difficult or contentious direction to be brushed off by those it criticises.
- 9.11 Once issued, the written determination is a public document and should be made available on the cathedral's website and the diocesan website.

10. Who is required to comply with the Visitor's determinations or directions?

- 10.1 Any person, or body of persons, on whom functions are conferred by or under the 2021 Measure must, when exercising those functions, act in accordance with:
- (a) any determination made by the bishop as Visitor on the construction of the cathedral's constitution and statutes; and
 - (b) any direction by the bishop in the course of a Visitation as will, in the bishop's opinion, better serve the due observance of the cathedral's constitution and statutes".³⁴

This means that the Chapter, as well as individual Chapter members, must exercise any functions conferred on them by the 2021 Measure in accordance with any such determination and/or directions.

- 10.2 All cathedral clergy owe canonical obedience to the bishop and they are required to comply with the determinations and directions of the Visitor as their bishop³⁵. In addition, the dean and the residentiary canons are specifically required by canon law to observe the instructions of the bishop of the diocese in his or her Visitation.³⁶
- 10.3 If a member of the clergy does not comply with the determinations and directions of the Visitor, it is likely to constitute misconduct under s.8(1) of the Clergy Discipline Measure 2003.
- 10.4 The bishop's written determination should include a direction for the Chapter to make periodic written reports to the bishop, or to a person or office nominated by the bishop, on progress made on the implementation of the determinations and directions in the bishop's written determination. The bishop may share all or any part of these reports with the Charity Commission in accordance with any agreement between the bishop and the Charity Commission, provided that the written determination is clear that the bishop has agreed to share these reports with the Charity Commission.
- 10.5 To the extent appropriate in the circumstances, and to the extent that it has been brought to the Charity Commission's attention in accordance with this guidance, the Charity Commission will have regard to any written determination issued by a bishop pursuant to a Visitation when considering whether and how it should discharge its functions, including the exercise of its regulatory powers under the Charities Act 2011

³⁴ Cathedrals Measure 2021 s.10(5)

³⁵ Canon C1(3)

³⁶ Canon C21(2)

in relation to the Chapter. However, no conclusion or direction in the bishop's written determination will prevent the Charity Commission from taking any particular action, including exercising any of its regulatory powers in relation to the Chapter which it considers necessary or appropriate.

Annex
**Section 5 of the MoU between
the Charity Commission and the Church Commissioners**

5. Episcopal visitations and the exercise of regulatory powers by CCEW³⁷

- 5.1 Pursuant to section 10 of the 2021 Measure, the Constitution of the Chapter of each Cathedral must continue to provide for the bishop of the diocese to be Visitor of that Cathedral. The Parties anticipate that there are likely to be occasions when a Visitor decides to conduct a visitation in circumstances which also give rise to matters of regulatory interest to the CCEW.
- 5.2 The CCEW's regulatory oversight of Chapters does not extend beyond matters which engage its objectives, functions or duties as set out in the Charities Act 2011.
- 5.3 In relation to any proposed or ongoing Cathedral Visitation, if, in the opinion of the Visitor³⁸ or of the Commissioners, a serious incident has or may have occurred:
- 5.3.1 the Visitor and the Commissioners should, where appropriate, share such information as they may lawfully share with the CCEW as is relevant to the serious incident, so that the CCEW may form a view on whether it ought to take any regulatory action;
- 5.3.2 at the end of the visitation, the Commissioners will provide to the CCEW a copy of the Visitor's final written determination in the form in which it will be made public, which sets out the findings, recommendations, directions and decisions made by the Visitor at the conclusion of the visitation;
- 5.3.3 the Visitor may approach the CCEW for advice on charity law or charity regulation to the extent that this may be relevant to the conduct of any visitation.
- 5.4 In this clause, "serious incident" means an incident considered to be "serious" in the CCEW's relevant guidance, as amended from time to time.³⁹
- 5.5 If, in relation to any proposed or ongoing exercise of its regulatory powers in relation to a Chapter, the CCEW considers that a matter has arisen which is or may be of concern to the Commissioners:
- 5.5.1 the CCEW should, where appropriate, share such information as it may lawfully share with the Commissioners as is relevant to the matter of concern, so that Commissioners may share this with the relevant Visitor and the Commissioners and the Visitor may form a view on whether they ought to take any relevant action; and
- 5.5.2 the CCEW may approach the Commissioners for advice on ecclesiastical law or practice to the extent that this may be relevant to the conduct of the exercise of any of its regulatory powers.

³⁷ All references to the CCEW are to the Charity Commission for England and Wales.

³⁸ All reference in this section to the Visitor are to the bishop of the diocese or the archbishop of the province where the archbishop exercises their power to conduct an archepiscopal visitation.

³⁹ At the time of writing the relevant guidance is [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).

- 5.6 The CCEW or a Visitor may, at any time, take any action the CCEW or the Visitor considers appropriate in relation to any Chapter or Cathedral notwithstanding any proposed, ongoing or concluded visitation or regulatory action. In such a situation, to the extent reasonably practicable in the circumstances, and having regard to their respective objectives, functions and duties, the CCEW and the Commissioners will liaise in relation to the exercise of the respective regulatory powers of the CCEW and the Visitor in relation to that Chapter and Cathedral during the same time period.
- 5.7 The Commissioners will use all reasonable endeavours to support the CCEW and Visitors to co-operate effectively in support of their respective aims and objectives in relation to any matter in which the CCEW has a regulatory interest.