

GENERAL SYNOD
AMENDING CANON NO. 42 (SAFEGUARDING)

Explanatory Notes

Amending Canon No. 42 amends Canon C 30, which provides the canonical framework for safeguarding in the Church of England. Following the Anglican Church Investigation by the Independent Inquiry into Child Sexual Abuse (“IICSA”), IICSA published a report in October 2020 (“the IICSA Report”)¹ which set out eight Recommendations, each accepted by the General Synod at the November 2020 group of sessions. Amending Canon No. 42 implements recommendation 1 of the IICSA Report.

Background

1. Recommendation 1 of the IICSA Report provides:

“The Church of England should create the role of a diocesan safeguarding officer to replace the diocesan safeguarding adviser. Diocesan safeguarding officers should have the authority to make decisions independently of the diocesan bishop in respect of key safeguarding tasks, including:

- i. escalating incidents to the National Safeguarding Team, statutory authorities and the Charity Commission;*
- ii. advising on the suspension of clergy in safeguarding matters;*
- iii. investigating and/or commissioning investigations into safeguarding incidents;*
- iv. risk assessments and associated plans for church officers and members of the congregation; and*
- v. supporting complainants in safeguarding-related issues.*

Diocesan safeguarding officers should be employed locally, by the Diocese Board of Finance. The diocesan safeguarding officer’s work should be professionally supervised and quality assured by the National Safeguarding Team. The National Safeguarding Team should set the broad requirements for anyone applying to be a diocesan safeguarding officer (adapting as required the existing requirements in respect of diocesan safeguarding advisers).

It should be enshrined in policy that those who are volunteers and who do not follow the directions of diocesan safeguarding officers should be removed from responsibility of working with children.”

¹ [The Anglican Church Investigation Report | IICSA Independent Inquiry into Child Sexual Abuse](#)

2. At the group of sessions in November 2020, the General Synod unanimously resolved:

“That this Synod fully accept the Independent Inquiry into Child Sexual Abuse’s Final Investigation Report into the Anglican Church, sincerely apologise to victims and survivors for the harm done by the Church and endorse and commit itself to urgently implementing the six recommendations set out on pages 4-6 of GS 2184.”
3. Draft Amending Canon No. 42 has been introduced by the Business Committee pursuant to the General Synod’s resolution passed in November 2020 to implement Recommendation 1 of the IICSA Report.

Summary of the Amending Canon

4. Draft Amending Canon No. 42 amends the Canonical requirements on safeguarding by replacing the requirement for the bishop of each diocese to appoint a Diocesan Safeguarding Adviser (**DSA**) with a requirement for the bishop to appoint a Diocesan Safeguarding Officer (**DSO**). The change of title reflects the differences between the roles. The DSA’s role is merely to advise the bishop on safeguarding matters. But the DSO will have responsibility in the diocese, independent of the bishop, for professional leadership on and management of safeguarding matters.
5. The Amending Canon also provides for the professional supervision of DSOs and for the quality assurance of their work by the National Safeguarding Team (**NST**).
6. The Annex to this Explanatory Note contains a tracked version of paragraph 1 of Canon C 30 showing the changes that the Amending Canon would make.

Procedural stages

7. Standing Order 48(1) provides for Measures and Canons to be considered by the General Synod on the following successive stages:
 - First Consideration (see SOs 51 and 52)
 - Revision Committee (see SOs 54 to 57)
 - **Revision (see SOs 53 and 58 to 60)**
 - **Final Drafting (see SO 61)**
 - **Final Approval (see SO 64).**
8. Draft Amending Canon No. 42 was considered by the General Synod at the July 2022 group of sessions on the First Consideration Stage.
9. The Revision Committee Stage took place in November and December 2022.
10. There were two submissions to the Revision Committee from members of Synod.
11. The next stages are the **Revision Stage, Final Drafting** and **Final Approval**, each of which is to be taken in Full Synod at the February 2023 group of sessions. Members who wish to send proposals for amendment for Revision Stage must do so in writing by the deadline specified in the Agenda for that group of sessions

Explanation of the provisions of the Amending Canon

12. *Paragraph 2(1)* replaces the requirement for each diocesan bishop to appoint a DSA with a requirement for each diocesan bishop to appoint a DSO. The new DSO role reflects the requirements in IICSA's Recommendation 1 for the DSO to be independent from the bishop and to be responsible for providing professional leadership and management on safeguarding matters in the diocese.
13. *Paragraph 2(2)* provides for the replacement of references to Diocesan Safeguarding Advisers with references to Diocesan Safeguarding Officers.
14. *Paragraph 2(3)* inserts a new paragraph 1(2)(c) to require the House of Bishops' Regulations to provide for the professional supervision of DSOs and for the quality assurance of their work by the NST. Although the responsible body which will provide the supervision and quality assurance will be the NST, the amendment does not mention the NST by name. That is because the NST may change its name or because its responsibilities in the future may be undertaken by a new or different entity; so the amendment is drafted in anticipation of that possibility.
15. *Paragraph 3* amends paragraph 3(1)(a) of Canon C 30 so that the list of those who may carry out risk assessments under the Canon can contain the names of bodies as well as the names of individuals. This amendment does not form part of IICSA's Recommendation 1 but it will provide more flexibility in the compilation of a list of those permitted to carry out risk assessments.
16. *Paragraph 4* provides that the changes in paragraph 2 will come into force diocese by diocese upon certification by the Archbishops' Council. This will enable the NST to roll out the new supervision processes in stages, rather than having to do so in all dioceses at once. *Paragraph 4* also makes technical provision to ensure that the amendments made by paragraph 2 will come into force on promulgation of the Canon so far as is necessary for enabling new House of Bishops' Regulations to be made.

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ANNEX

Amendments to Canon C30 shown as tracked changes to the current text.

Paragraph 1 of Canon C 30 is amended as follows:

1 (1) The bishop of each diocese shall appoint a person (to be known as the ~~“diocesan safeguarding advisor”~~) ~~to advise the bishop on matters relating to the safeguarding of children and vulnerable adults~~ **“diocesan safeguarding officer”**) **to have responsibility in the diocese, independent of the bishop, for the professional leadership on and management of matters relating to the safeguarding of children and vulnerable adults.**

(2) The House of Bishops may by Regulations make further provision about diocesan safeguarding ~~advisers~~ **officers**; and the Regulations may, in particular—

- (a) make provision as to eligibility for appointment as a diocesan safeguarding ~~advisor~~ **officer**;
- (b) make provision conferring functions on persons appointed as diocesan safeguarding ~~advisers~~ **officers**;
- (c) **make provision for the professional supervision of diocesan safeguarding officers, and for the quality assurance of their work, by the body responsible for overseeing the implementation and operation of the code under section 5A of the Safeguarding and Clergy Discipline Measure 2016.**

(3) The House of Bishops may by Regulations amend or revoke any Regulations made under this paragraph.