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# Independent safeguarding audit of Bishopthorpe Palace

REPORT OF AUDIT NOVEMBER 2020



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## About SCIE

The Social Care Institute for Excellence improves the lives of people of all ages by co-producing, sharing, and supporting the use of the best available knowledge and evidence about what works in practice. We are a leading improvement support agency and an independent charity working with organisations that support adults, families and children across the UK. We also work closely with related services such as health care and housing.

We improve the quality of care and support services for adults and children by:

- identifying and sharing knowledge about what works and what's new
- supporting people who plan, commission, deliver and use services to put that knowledge into practice
- informing, influencing and inspiring the direction of future practice and policy.

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Social Care Institute for Excellence

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# Foreword from SCIE

30 January 2023

SCIE hopes that the independent safeguarding audit reports of Bishopthorpe and of Lambeth palace can be published, if not simultaneously then close in time, by both palaces respectively.

Significant time has passed since the fieldwork for each palace occurred. We know this has caused confusion and concern particularly to the many victims, survivors and supporters who contributed. We apologise. There have been a number of reasons for the time taken. We want to give assurance that none of the factors reduce the independence of the audit or presentation of the audit findings.

The Lambeth Palace audit report will be weightier in length and opportunities for development. This in part reflects the relative status and scale of operations of Lambeth Place. It also reflects differences in the length of time the current Archbishops had been in role at the time of each respective audit.

At the time of the audit, the current Archbishop of York had only recently come into post. With a focus on learning for the present and future, the Bishopthorpe audit did not comment much on the role of the previous Archbishop. Since the Bishopthorpe audit, however, new arrangements for joint working between the palaces have been developed. Therefore, this means that areas that will be raised in the Lambeth Palace audit report, once it is published are likely to be relevant to Bishopthorpe Palace.

Some of the issues highlighted and discussed in both audits will have already changed and progressed. In relation to others, publication allows wider discussion and the chance to move forward in partnership with victims and survivors.

The generosity with which so many victims and survivors of clergy and Church-related abuse contributed to both audits has been humbling. We thank you.



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## 1. INTRODUCTION

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### 1.1 THE AUDIT PROGRAMME

- 1.1.1 The Social Care Institute for Excellence (SCIE) is delighted to have been asked to provide an independent audit of the safeguarding arrangements of the cathedrals and palaces of the Church of England.
- 1.1.2 This programme of work saw four cathedral audits in 2018 and 19 in 2019 before a hiatus due to COVID-19. The programme restarted with the audit of Bishopthorpe Palace in November 2020 and will end in early 2022. It represents a significant investment in the cathedrals and palaces, and an important opportunity to support improvement in safeguarding.
- 1.1.3 The two palaces (the other being Lambeth) are unique and differ in significant ways from both dioceses and cathedrals. SCIE has drawn on its experience of auditing the dioceses and cathedrals, and adapted the methodology to fit the palaces, in consultation with palace senior staff.

#### About SCIE

- 1.1.4 The Social Care Institute for Excellence (SCIE) improves the lives of people who use care services by sharing knowledge about what works.
- 1.1.5 We are a leading improvement support agency and an independent charity working with adults', families' and children's care and support services across the UK. We also work closely with related services such as health care and housing.
- 1.1.6 Safeguarding is one of our areas of expertise, for both adults and children. We have completed an independent safeguarding audit of diocesan arrangements across the Church of England as well as supporting safeguarding in other faith contexts. We are also committed to co-producing our work with people with lived experience of receiving a service/ response in the setting at hand.
- 1.1.7 You can find out more about us on our website [www.scie.org.uk](http://www.scie.org.uk)

### 1.2 THE AUDIT PROCESS

#### SCIE Learning Together and our approach to audit

- 1.2.1 SCIE has pioneered a particular approach to conducting case reviews and audits in child and adult safeguarding that is collaborative in nature. It is called **Learning Together** and has proved valuable in the adults' and children's safeguarding fields. It built on work in the engineering and health sectors that has shown that improvement is more likely if remedies target the underlying causes of difficulties, and so use audits and reviews to generate that kind of understanding. So Learning Together involves exploring and sharing understanding of both the causes of problems and the reasons why things go well.

#### Key principles informing the audit

- 1.2.2 Drawing on SCIE's Learning Together model, the following principles underpin the approach we take to the audits:
  - Working collaboratively: the audits done 'with you, not to you'

- Highlighting areas of good practice as well as problematic issues
- Focusing on understanding the reasons behind inevitable problems in safeguarding
- No surprises: being open and transparent about our focus, methods and findings so nothing comes out of the blue
- Distinguishing between unique local challenges and underlying issues that impact on all or many cathedrals

## Supporting improvements

- 1.2.3 The overarching aim of each audit is to support safeguarding improvements. To this end our goal is to understand the safeguarding progress of each palace. We set out to move from understanding how things work, to evaluating how well they are working. This includes exploring the reasons behind identified strengths and weaknesses. Our conclusions will pose questions for the palace leadership to consider in attempting to tackle the underlying causes of deficiencies.
- 1.2.4 SCIE methodology does not conclude findings with recommendations. We instead give the Palace questions to consider in relation to the findings, as they decide how best to tackle the issue at hand. This approach is part of the SCIE Learning Together audit methodology. The approach requires those with local knowledge and responsibility for progressing improvement work, to have a key role in deciding what exactly to do to address the findings and to be accountable for their decisions. It has the additional benefit of helping to foster ownership locally of the work to be done to improve safeguarding.

## The process

- 1.2.5 The process involved reviewing documentation as well as talking to key people, including focus groups. Further details are provided in the [Appendices](#).

## 1.3 STRUCTURE OF THE REPORT

- 1.3.1 This report is divided into:

- Introduction
- The findings of the audit presented per theme
- Questions for the Palace to consider are listed, where relevant, at the end of each Findings section
- Conclusions of the auditors' findings: what is working well and areas for further development
- An appendix sets out the audit process and any limitations to this audit

## 2 CONTEXT

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### 2.1 THE CHURCH OF ENGLAND

- 2.1.1 The Church of England is the established church of England and the monarch is its supreme governor. The governing structure of the Church is based on **dioceses**, each presided over by a bishop whose seat is at a cathedral.
- 2.1.2 The General Synod is the national assembly of the Church of England. It considers and approves legislation affecting the whole of the Church of England, formulates new forms of worship, debates matters of national and international importance, and approves the annual budget for the work of the Church at national level. The three houses of the Synod are split into bishops, clergy and laity.
- 2.1.3 The Archbishops' Council is a charity, set up in law to coordinate, promote, aid and further the work and mission of the Church of England. It does this by providing national support to the Church in dioceses and locally, working closely with the House of Bishops and other bodies of the Church. The Archbishops' Council has nine objectives, one of which is 'to ensure all children and vulnerable adults are safe in the Church'.
- 2.1.4 The Church of England comprises 42 dioceses, which are grouped into two provinces: Canterbury in the south of England, comprising 30 dioceses and York in the north, comprising 12 dioceses. Each province has a head or primate – the Archbishops of Canterbury and York. The provinces are administrative entities and have limited functions which are distinct from the dioceses, including in relation to safeguarding (see section 2.2.4). The Archbishop of Canterbury is the most senior cleric.
- 2.1.5 There is no formal structural relationship between the two provinces, although a high degree of collaboration was reported. Within the Northern Province, the Archbishop describes himself as 'first among equals' with few line management or operational responsibilities as might be understood in other spheres, apart from his specific role in the CDM processes and C4 faculties (required for a person who is to be ordained as a member of the clergy and who has been divorced and remarried, or who is married to a spouse who has been divorced) and Overseas Permission (permission for a cleric ordained in another country to officiate in the Church of England). Other than in his own diocese, the Archbishop does not contribute to the strategic direction of the dioceses and cathedrals. The Church of England subscribes to the principle of subsidiarity, namely the principle that a central authority should perform only those tasks that cannot be undertaken at a more local level and/or closest to where they will have an effect.
- 2.1.6 The independently chaired National Safeguarding Panel was set up to resource the Church of England's leadership (Archbishops' Council and House of Bishops) with good high-level strategic advice and direction on safeguarding, and provide vital reference and scrutiny from a range of voices, including survivors, on the development of policy and guidance. It is supported by the National Safeguarding Steering Group (NSSG), which maintains strategic oversight of national safeguarding activity, including the work of the National Safeguarding Team (NST).
- 2.1.7 The Northern Province is well represented at national level, with the Palace Chief of Staff a member of the NSSG and the Provincial Chaplain on the National Safeguarding Panel (NSP).



## 2.2 THE ARCHBISHOP OF YORK

- 2.2.1 Nationally, the Archbishop is one of the Presidents of the General Synod and of the Archbishop's Council. He is Chair and President of numerous Church bodies. He is also the Diocesan Bishop of the Diocese of York.
- 2.2.2 The Archbishop of York is the leader, but not the manager, of the northern dioceses and his role is one of influence rather than direction, except in Clergy Disciplinary Measures (CDMs) relating to bishops and other senior clerics.
- 2.2.3 In addition to his role as the leading bishop (first among equals) in the northern province and as Bishop of York, the Archbishop is a Privy Councillor and a member of the UK House of Lords. He has a role as a primate within the Anglican Communion worldwide. He often represents the Church of England at an international level.
- 2.2.4 In terms of safeguarding, the Church of England's safeguarding policy Promoting a Safer Church gives the two archbishops responsibility for providing leadership and direction in promoting a safer church; ensuring that diocesan bishops engage in safeguarding induction and training; and directing the archbishop of another province or a bishop to undergo a risk assessment. They are also required to appoint a bishop with lead responsibility for safeguarding children and adults; and appoint the members of the NSSG. As leaders of the Archbishops' Council, they have responsibility for such practical matters as ensuring robust safeguarding arrangements are in place across the Church and overseeing safeguarding finances, operations and risk management. In addition, if a complaint is brought against a diocesan bishop and it includes safeguarding concerns, the relevant archbishop can suspend them with the consent of the two most senior bishops in the province.
- 2.2.5 At the time of the audit, the Archbishop of York, Stephen Cottrell, was still very new to the role. He became the serving Archbishop in July 2020 and was enthroned in October. There was general agreement that the audit, delayed by several months due to COVID-19, was happening at a propitious time. The Archbishop has had time to make an impact on the culture of the Palace and to begin to set out his priorities.

## 2.3 BISHOPTHORPE PALACE

- 2.3.1 Bishopthorpe Palace, just outside the city of York, has been the seat of the Archbishop of York since the 13<sup>th</sup> century. Today the palace itself houses the administrative centre of the Northern Province of the Church of England as well as the private apartments of the Archbishop and a small number of Palace staff. The old stables have been converted into further office accommodation that is used by an organisation with links to the Church. The administrative offices for the Diocese of York are based several miles away, on the northern edge of the city.
- 2.3.2 The total Palace staff numbers about 30 people; a small number of the post-holders work part-time or have two roles. The Provincial Safeguarding Adviser (PSA) is based at the Palace but is employed by the NST.

## 2.4 FOCUS OF THE AUDIT

- 2.4.1 Bishopthorpe Palace provides the setting for two different aspects of safeguarding, those relating to the province, and those relating to the Palace itself. The report deals with each of these in turn. At times, the auditors comment on issues concerning the national Church, and raise questions for that body rather than the Palace per se. This is primarily a consequence of the place-focused nature of each audit, the national

leadership roles of the two archbishops (of Canterbury and York) and the developing collegiate approach of the two palaces (Bishopthorpe and Lambeth).

## 2.5 WHO WAS SEEN IN THIS AUDIT

2.5.1 The auditors talked, primarily online, with the following people:

- The Archbishop of York
- The Chief of Staff
- The Provincial Registrar
- The Provincial Safeguarding Adviser
- The Provincial Chaplain (in her role regarding the Clergy Disciplinary Measure)
- The CDM Administrator
- The Deputy Director, Casework, at the National Safeguarding Team
- The Office Manager
- The Assistant Secretary.

2.5.2 In addition, a focus group included a cross-section of Palace staff in roles that are not primarily about safeguarding but have an impact on how safeguarding is seen and practised at the Palace. Informal conversations with a couple of staff who were not in the focus group also provided evidence on the change in culture that will be discussed in section 5.6.

2.5.3 The week before the audit, the auditors talked with a number of survivors of abuse who provided invaluable information and helped to inform lines of enquiry. Their input is reflected in the audit report in ways that allow for the preservation of their confidentiality, as is learning from SCIE's work nationally with survivors.

2.5.4 The audit took place after the recent departure of the previous Archbishop, and subsequent arrival of the new Archbishop. The auditors did not speak to the previous Archbishop as part of the audit. The rationale for not including him links to the overarching aim of each audit, which is to support safeguarding improvements in the present and into the future. Some of the implications are presented in the limitations section.

## 2.6 THE TIMING OF THE AUDIT

2.6.1 This was the third planned set of dates for the audit of Bishopthorpe, the previous dates having to be abandoned firstly due to internal circumstances at the Palace and then due to COVID-19 in mid-March, a week before the first lockdown. The auditors and the Palace agreed that this third set of dates must go ahead and therefore, three audit schedules were prepared: for an on-site audit, a partly on-site and partly off-site audit, and a wholly online audit, depending on the situation with the pandemic.

2.6.2 In the event, the second national lockdown was announced the weekend before the audit and it started on day three of the audit. The auditors spent most of the first two days on site, reading case recording and CDM files and meeting (at a distance) a range of people, including the Archbishop and the Chief of Staff, with whom they later

had online conversations. It was possible to hold a conversation with the PSA in person. The auditors then left and the majority of conversations and the Learning Together session were managed online over two days.

- 2.6.3 The auditors are very grateful to all the people who re-arranged their diaries at such short notice so that 'Plan B' could be implemented and wish to record their particular thanks to the liaison person who made it possible for them to travel with confidence knowing that the necessary changes had been made to the programme. They were also very appreciative of the care taken within the Palace to keep them as safe as possible.

## 2.7 ANY LIMITATIONS ON THE AUDIT

- 2.7.1 Given that this was the first ever audit of safeguarding in a palace and province of the Church of England, the auditors needed to show a degree of flexibility in terms of what they sought to review. This was mitigated by the preparation done before the audit and the patience with which Palace staff explained roles and responsibilities.
- 2.7.2 The recent departure of the previous Archbishop, and subsequent arrival of the new Archbishop, have inevitably been accompanied by changes in perspectives, style and culture. The auditors were told about some of the changes by both staff and survivors but did not actively seek evidence of this other than what was indicated in documents and case files examined. We recognise this had not afforded the previous Archbishop the ability to respond.
- 2.7.3 It was noted earlier that the auditors did not speak to the previous Archbishop as part of the audit. The rationale for not including him links to the overarching aim of each audit, which is to support safeguarding improvements in the present and into the future. This means that safeguarding at Bishopthorpe through-out his time in post has not been subject to independent evaluation. We recognise this may be a source of frustration, especially to some survivors.

### 3 FINDINGS – PROVINCIAL FUNCTIONS BASED AT THE PALACE

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- 3.1.1 The provincial functions located at Bishopthorpe Palace comprise those associated with the spiritual and leadership role of the Archbishop of York, safeguarding practice as it relates to the administration and oversight of the Clergy Discipline Measure (CDM), the maintenance of the Archbishops' List, the role and responsibilities of the PSA, and the organisational arrangements that support this range of activity.
- 3.1.2 Unlike the dioceses, Bishopthorpe has no specific safeguarding responsibilities, nor does it hold line-management responsibility for the dioceses in the province. However, given the leadership role of the Archbishop and province, they are understandably seen by many inside and outside the Church as being in a hierarchical relationship with the bishops, dioceses and cathedral chapters, and are often therefore assumed to have authority over them. Hence correspondence and other contacts are directed to the Archbishop and his staff on a wide range of issues. This means that the Archbishop and province have a significant role as an element of the public face of the Anglican church.

#### 3.2 CASEWORK

- 3.2.1 Safeguarding casework, as such, is not a function of the province. This is a function of the NST and of the dioceses. However, as noted above, the Palace deals with correspondence from people who might be dissatisfied with a local response to a concern that they believe is a safeguarding issue or who choose to report a safeguarding issue directly to the Archbishop.
- 3.2.2 In this section, therefore, we cover:
- arrangements for identifying and responding to safeguarding concerns, complaints, and whistleblowing received by the Palace
  - record keeping
  - the interface between Bishopthorpe and the NST, and between Bishopthorpe and the dioceses.

#### **Triaging of correspondence and contacts that come to the palace**

- 3.2.3 Correspondence with the Palace needs to be triaged in order to identify contacts involving safeguarding issues. These then need to be assessed and responded to promptly, safely and appropriately. Risk assessments need to be undertaken in order quickly to determine when a safeguarding response is needed. Such professional triage is the task of the PSA.

#### *Description*

- 3.2.4 Correspondence and phone calls are usually received in the general office. A recently updated document on safeguarding triage, together with a protocol which applies to all incoming correspondence addressed to the Archbishop, spells out how staff should respond. The protocol highlights safeguarding and specifies that any correspondence that is identified as containing a safeguarding concern should go directly to the Provincial Safeguarding Adviser (PSA) or the Assistant to the PSA. The protocol also specifies what to do in the absence of the PSA if a situation appears to require an emergency response. The safeguarding triage document similarly sets out exactly how such cases will be managed and recorded.

- 3.2.5 The PSA keeps a record of all such contacts, opening an electronic file as appropriate, and maintaining a record of how the matter was dealt with and concluded. Most of the concerns seen were referred back to the relevant diocesan or cathedral safeguarding advisor (DSA or CSA).

#### *Analysis*

- 3.2.6 The process for triaging contacts and correspondence is much strengthened with the role of the PSA and clarity about when to involve her. In the past, initial decision-making on such correspondence sat primarily with the Provincial Chaplain.
- 3.2.7 The auditors saw a list of 29 contacts dating back to April 2016, which was when the PSA was appointed and put the triage system into place. An Excel spreadsheet provided an 'at a glance' summary of key information, including when contact was made and by whom, to whom it was passed, what was the outcome and whether the case was closed or still open.
- 3.2.8 All cases looked at showed good decision-making, appropriate application of thresholds, and clear outcomes. Responses were timely and proportionate. Survivors' voices were well represented, where appropriate, and fully recorded.
- 3.2.9 Administrative staff were very clear about how they should handle correspondence and other contacts and were very alert to the range of scenarios which can arise, including in relation to vulnerable adults.
- 3.2.10 The auditors were satisfied that the system for triaging concerns and complaints about safeguarding is working well at Bishopthorpe. They were concerned, however, that a spreadsheet – however well maintained – can be a cumbersome method for maintaining effective oversight as numbers rise cumulatively over time and can also make systemic issues difficult to identify.

### **Record keeping relating to the triage of contacts**

#### *Description*

- 3.2.11 All records relating to triaging of contacts are maintained by the PSA and her assistant. Every individual entry on the spreadsheet described above was cross referenced to an electronic case file, each of which usually has a front sheet showing key information about the case. Each file contains sub-folders – case recording, minutes of meetings, other documents – which make it easy to track information and understand the current status of the case.

#### *Analysis*

- 3.2.12 Record-keeping in relation to triaging of contacts is good. It is done at the time of dealing with the contact and contains all the information that might be required for future reference.

### **The changing Provincial Safeguarding Adviser role and the interface between Bishopthorpe, the dioceses and NST**

#### *Description*

- 3.2.13 The PSA works at the interface between Bishopthorpe and the NST. As well as providing advice and support to the Archbishop regarding matters of a provincial nature, she works closely with the NST Deputy Director, Casework and other members of NST to provide professional triage of cases that are brought to the attention of the NST. She also carries out casework across the province, working with diocesan safeguarding staff, survivors and others as necessary as part of the NST

function. This work is overseen by her NST manager, the Deputy Director, Casework through regular supervision. The NST aspect of the PSA's work is outside the scope of this audit and is therefore not commented on. Below we comment on the PSA role providing advice to dioceses throughout the Northern Province.

- 3.2.14 Since the appointment of the PSA in 2016, Diocesan Safeguarding Advisers (DSAs) and Cathedral Safeguarding Advisers (CSAs) across the Northern Province have sought her advice in general and specific terms. The auditors saw the records of nine such consultations. This situation has developed over time as the NST has expanded and clarified its role, so the provision of advice is no longer her sole responsibility. The NST has now set up a duty system which means that advice is available from it during the working week and the PSA contributes one day a week to running this service. There is therefore no longer a bespoke resource only for the Northern Province.

### *Analysis*

- 3.2.15 Records kept by the PSA of consultations with DSAs are well documented, showing that advice given is sound, clear and generally prompt. This includes appropriate engagement with safeguarding agencies external to the church. The most recent consultations show appropriate signposting to the NST duty system.
- 3.2.16 The supervision and support offered by the Deputy Director, Casework is clearly important in ensuring that the boundary between provincial and NST business is consistently observed.
- 3.2.17 A very small number of the consultations were of matters which had a safeguarding dimension but were not safeguarding cases as such. In these circumstances, the PSA took time to consult with relevant others in order to provide a well-considered response. The auditors were of the view that such lower-level queries did not always need PSA expertise and wondered whether they could have been picked up by someone in the wider Palace team, possibly with a small amount of advice and guidance from the PSA, thus reducing pressure on PSA time.
- 3.2.18 What was not clear at the time of auditing, is whether the change to the NST Duty System for safeguarding consultations, creates any risks for safeguarding in the Northern Province. Previously there was a single, dedicated PSA with whom dioceses built up relationships and people knew who they would be calling. In turn, the PSA having a dedicated role, and being locally based, had the opportunity to become suitably familiar with local set-ups, personnel and issues. Feedback given to the auditors by several DSAs and other officials within dioceses indicates that contact with the PSA was valued highly, both in relation to casework specific queries and through her occasional attendance at regional meetings and training events.
- 3.2.19 Conversely, the PSA worked four days a week so was not always immediately available, and an obvious strength of the duty system is that a suitably qualified safeguarding professional can be contacted for advice five days a week. Given that the Church is trying to build a unified approach to safeguarding so that, rather than northern provincial and southern provincial practice, there is national practice, the duty system is an important part of the system.
- 3.2.20 In addition, it is not clear how the division of labour between the PSA's responsibilities for NST casework, case coordination in the Northern Province, duty function and advice to the Palace will be determined or reviewed.

### **Questions for the Palace to consider**



- How are the perceived and actual benefits of bespoke, familiar safeguarding support to the dioceses of the Northern Province through the PSA located at the Palace going to be maintained, alongside the benefits of a centralised duty function provided by NST?
- Is there a role for the Palace in gauging and ensuring adequate capacity for the Northern Province vis-à-vis wider demands on the duty team?
- What are the options for providing an advice function for dioceses of the Northern Province that does not require the level of safeguarding expertise of the PSA?

## Engagement with survivors

### *Introduction*

- 3.2.21** The Church of England's present structure of governance and accountability is one of distributed leadership, rather than the hierarchical model more familiar in large organisations. This gives ultimate responsibility to no single person but instead to each diocesan bishop, with accountability resting within the diocese. For both archbishops, this can give rise to the challenge of demonstrating meaningful moral authority and spiritual leadership in the absence of a direct safeguarding role or managerial power.
- 3.2.22** For survivors, this can create real and pressing problems in terms of addressing past injustices and in rebuilding destroyed lives.
- 3.2.23** If a survivor comes to the Palace to disclose, or to complain about their treatment elsewhere, how should the Palace and Archbishop respond on behalf of the Church? To what degree should they provide active spiritual leadership in acknowledging and seeking to address past failures of the Church to champion the wellbeing and safety of those who have experienced abuse by clergy?
- 3.2.24** It is the expectation of the auditors that, as in other agencies faced with similar shortcomings, accountabilities are clarified and the Archbishop engages directly with survivors to learn from their experience and use it to improve the Church's safeguarding practice and advocate for individuals where it is needed.

### *Description*

- 3.2.25** The auditors saw and heard evidence of sensitive and prolonged engagement with survivors by the PSA, dating back to the time when she took on direct casework when cases involved senior church officers and/or crossed several dioceses. Such cases are now coordinated through the NST, of which the PSA is a member. In addition, she continues to respond to victims of abuse who contact Bishopthorpe.
- 3.2.26** As the Archbishop is new in role, it was too soon to see evidence of his engagement with survivors as Archbishop.
- 3.2.27** The auditors heard from survivors about both a very positive experience and also a negative experience relating to engagement with the previous Archbishop. To ensure survivors are able to contribute freely to the SCIE audits, we are not able to share details of those survivors we spoke to and therefore it has not been possible to share further details of what survivors experienced as either a positive or negative experience. The auditors did not speak to the previous Archbishop and recognise this does not afford him the ability to respond. We understand that a Safeguarding Advisor

was always present at meetings with the previous Archbishop to ensure such engagements were appropriately undertaken.

### *Analysis*

- 3.2.28** The Archbishop in his role as the leading bishop (first among equals) in the Northern Province with responsibility for providing leadership and direction in promoting a safer church, is in a unique position to set the tone and model the nature of the Church's relationship with survivors of abuse by clergy and people in Church related roles. As the Church responds to the findings of the Independent Inquiry into Child Sexual Abuse (IICSA) in institutions, including the Church of England, this is especially timely. Having spoken to the current Archbishop, it was clear he understood the importance of survivor engagement and how he would define his approach and develop opportunities in this area.
- 3.2.29** In the light of the IICSA recommendations and the opportunities that have come with starting a new role, the current Archbishop will doubtless continue to shape his approach, and to see survivors as friends and allies who want to make the Church a safer place. This will need to include engaging with and helping to rectify the legacies of decades of past failings. The auditors would expect such an approach to increase the trust and confidence of known survivors and to encourage survivors who have not yet spoken out to do so. It will be crucial, though, for any such change to be seen in the words and behaviour of both the Archbishops of Canterbury and York.
- 3.2.30** The auditors' view is that what individual survivors need from the Archbishop is sensitivity about how the survivor might be feeling about meeting the Archbishop and a willingness to engage on terms set by the survivor. As has been the approach in the past, this will include sensitivity about the venue of a meeting, or the way the survivor is approached, to give two examples. It seems likely that the Diocesan Safeguarding Advisor or the Provincial Safeguarding Advisor will continue to have a coordinating role in the future, should the Archbishop enter into direct engagements with survivors, as the auditors would expect. The auditors' view is that it is right and necessary for the PSA to advise the Archbishop in such matters.
- 3.2.31** There is also potential for more strategic engagement with groups of survivors.

#### **Questions for the Palace to consider**

- What should be the role of the Archbishop in setting new standards for engagement with and responses to survivors of abuse within the church?
- How proactive should the Archbishop be in seeking out survivors who feel they have been let down by the church and rectifying past failings?

## **3.3 CLERGY DISCIPLINE MEASURE**

- 3.3.1** The Clergy Discipline Measure (CDM) is a legal process which comprises a set of procedures for dealing with complaints of serious misconduct against a member of the clergy. The workings of the CDM process are technically outside the scope of this audit but the role of Bishopthorpe staff in the process is within scope. In the following paragraphs the auditors have attempted to recognise this distinction and concentrate their comments on this aspect and a general explanation of the CDM. We also recognise that CDM processes are currently subject to review by the Church.
- 3.3.2** The CDM is unique to the Church, in that disciplinary processes have to be initiated



by a complainant or by another 'interested party' instead of being a management responsibility. An archdeacon can be asked to bring a CDM complaint using evidence provided by the person making the allegation. There is no provision for a staged complaints process (rather than a disciplinary process) and no option for an investigation by an independent investigator external to the institution of the Church. For abuse survivors needing to make a complaint, this conflation is especially and understandably, problematic.

- 3.3.3** Anybody can make a complaint using the CDM, provided that the complaint is made within 12 months of the alleged serious misconduct. For serious misconduct which took place more than 12 months ago there is a separate process which requires permission to be sought from the President of Tribunals for the complaint to proceed. Since 2016, this latter provision does not apply in cases of sexual misconduct towards a child, or in circumstances where the complainant was vulnerable at the time of the alleged misconduct.
- 3.3.4** There are five areas in which the Archbishop commonly acts in his provincial capacity in dealing with clergy discipline:
- In dealing with complaints under the CDM against bishops in the Northern Province
  - In dealing with informal, potential or pending complaints against clergy and bishops in the Northern Province
  - In dealing with entering and reviewing names on the Archbishops' List
  - In consultation with diocesan bishops over a return to ministry after a member of the clergy has been prohibited from ministry for a limited period
  - In considering the arrangements if it is necessary to suspend a bishop.
- 3.3.5** In each of these areas, there will be some cases which contain an element of safeguarding concerns, which can include domestic abuse as well as offences against children or vulnerable adults. Complaints can also relate to the response by clergy to safeguarding concerns, e.g., not passing on disclosures of abuse that have been made to them, or not acting on knowledge of abuse, and these have increased significantly recently, especially in relation to senior clergy or clergy who are now senior but were not when allegations were first made.
- 3.3.6** Sometimes lay people seek to use the Archbishop and/or the CDM as an escalation process when they have not been satisfied with a diocesan response. This is based on an understandable misunderstanding of the authority of the Archbishop, and on the lack of an escalation process beyond the response of a diocese. In these circumstances, there is a discussion with the PSA, who seeks to refer on or back to the diocese concerned if there is a potential safeguarding element.
- 3.3.7** In the Diocese of York, where the Archbishop is also the Diocesan Bishop, should anyone take out a CDM complaint against him as the Diocesan Bishop, this would be referred to the Archbishop of Canterbury. In the meantime, safeguarding responsibilities would be delegated to one of the Suffragan Bishops.
- 3.3.8** The auditors reviewed nine files relating to the actual or attempted use of the Clergy Disciplinary Measure by a range of complainants. All were chosen because they had a safeguarding element, and they included CDMs due to proven abuse that mirrored case files held by the PSA and CDMs where either the Provincial Registrar, the Provincial Chaplain or the CDM Administrator had picked up a potential or actual

safeguarding issue. The CDM process can be used for a range of purposes, and the auditors saw evidence of its use in conjunction with legal proceedings in court and after sentencing as well as complaints brought by lay people about the past or current behaviours of clergy.

- 3.3.9** Section B.3.2. (pp.57-63) of the IICSA report, published 6 October 2020, sets out an explanation and a critique of the CDM process that might be usefully read in conjunction with this report.

### **Processes and practice for identifying whether there is a safeguarding element to a CDM or if one emerges in course of handling the disciplinary process.**

#### *Description*

- 3.3.10** Not all serious misconduct will have a safeguarding dimension, but it is important that arrangements for identifying safeguarding issues in CDMs are robust and consistently applied.
- 3.3.11** The Provincial Chaplain is responsible on behalf of the Archbishop for the management and oversight of the CDM process at Bishopthorpe, supported by the CDM Administrator. Both are extremely experienced in the CDM process. The CDM role does not have to be done by a clergy person and the equivalent role at Lambeth Palace is held by someone who is not ordained.
- 3.3.12** The Provincial Chaplain handles the process of a CDM, but hands over to the Provincial Registrar for the drafting of a preliminary scrutiny report that looks at whether there is a case to answer. The Provincial Registrar is also extremely experienced in the CDM process.
- 3.3.13** The Provincial Chaplain is responsible for identifying safeguarding within a CDM if it has not been previously recognised, and she works closely with the PSA when needed. A protocol has been agreed (October 2020) which sets out the interface between the CDM and the role of the PSA, including who is responsible for what, what information should and should not be shared and how, by whom and where information should be held.
- 3.3.14** CDM files comprise hard copies of emails and correspondence together with relevant forms and papers relating to the CDM. A short, succinct table is stapled at the front of each file showing the status of the CDM and relevant dates for review, etc.
- 3.3.15** The CDM is currently being reviewed by a group chaired by the Bishop at Lambeth and the Provincial Chaplain is a member of this group, as is the Provincial Registrar. The Provincial Chaplain expressed her support of the review in order to ensure that shortcomings in the current legislation were addressed and to provide alternative ways of dealing with less serious complaints.

#### *Analysis*

- 3.3.16** Prior to the appointment of a full-time professional Diocesan Safeguarding Adviser for the Diocese of York and then the PSA in 2016, the Provincial Chaplain had significant responsibility for the recognition and handling of safeguarding at the Palace together with the Chief of Staff and the Domestic Chaplain. This included receiving initial safeguarding contacts and in the case of the Provincial Chaplain, CDMs. This was not a safe set-up, for anyone concerned. Notably, there was very limited professional safeguarding input. The auditors were told that before 2016 a qualified social worker, who offered professional safeguarding advice to the Diocese of York, was consulted by Bishopthorpe staff on an occasional basis. Against this background, the

development of the local protocol specifying the role of the PSA is a positive development.

- 3.3.17 Files evidence that safeguarding issues in CDM complaints are identified and dealt with well. The Provincial Chaplain appeared knowledgeable, skilled and sensitive in her role. We saw evidence of the CDM Administrator spotting a possible vulnerable adult in one CDM; this was referred on to the diocese. The PSA and the Provincial Chaplain described working well together. The local protocol that sets out when the PSA needs to be consulted should ensure that this would continue should either or both of them move on. However, it still appears a fragile system strongly reliant on the expertise of two key individuals, one of whom is not a safeguarding professional, without any external quality assurance or scrutiny. It relies on the Provincial Chaplain identifying a safeguarding issue, but given that the PSA does not have the capacity to review every CDM that comes to the Palace, there appears to be no alternative. Should there be disagreement between the PSA and the Provincial Chaplain, the Archbishop would try to find a consensual approach.

## Addressing safeguarding concerns using the CDM

### Description

- 3.3.18 Where CDM cases had safeguarding elements, these were identified and highlighted by the Provincial Chaplain, and the PSA was involved in line with the CDM and Safeguarding Protocol. This is discussed in a previous section. Safeguarding concerns are highlighted in the written advice to the Archbishop from the Provincial Chaplain. Several of the CDMs seen referred to requests by dioceses to include a clergy person on the Archbishops' List after a criminal conviction or for a limited prohibition of the right to minister in a non-criminal context. The Archbishops' List is the name commonly given to the **S38 Clergy Discipline Measure 2003**, which places a **duty** on the archbishops acting jointly *to compile and maintain a list of all clerks in Holy Orders on whom a penalty or censure (by consent or otherwise) has been imposed under this Measure or the 1963 Measure, or who have been deposed from Holy Orders, or who have executed a deed of relinquishment under the Clerical Disabilities Act 1870 (c. 31), or who have resigned preferment following the making of a complaint in writing against them under section 10(1) above or under the 1963 Measure, or who, in the opinion of the archbishops, have acted in a manner (not amounting to misconduct) which might affect their suitability for holding preferment.*
- 3.3.19 The auditors saw several examples of prohibition for life after a previous time-limited prohibition had been followed by further offences or the coming to light of further offences, previous or subsequent.
- 3.3.20 Files illustrated a range of actions aimed at addressing safeguarding concerns, varying from long-term or fixed-term prohibition from ministry to requirements for training, supervision and guidance.

### Analysis

- 3.3.21 Files seen by the auditors were well kept, but being loose leaf there is always a risk that important papers can be mixed up or even lost, and the nature of printed emails means that there is a great deal of repetition. Care should be taken to ensure that there is appropriate cross referencing between CDM and PSA files. It is expected that files will be digitalised ultimately, which should resolve both issues.

- 3.3.22** CDM files illustrated the significance of the role of the Provincial Chaplain in advising the Archbishop about appropriate actions to take in safeguarding cases. Several showed that the CDM/safeguarding protocol is being well used and consistently applied. The PSA advice is clearly recorded and informs the advice given to the Archbishop. The auditors saw no evidence of conflicting views, so are unable to comment on how that would be handled.
- 3.3.23** The CDM process has received much criticism for the clause that required a complaint to be brought within 12 months of the last occurrence of behaviour that is the subject of the complaint (for complaints that alleged safeguarding abuse, this was dropped in 2016). Those who are potentially complained against have the right to comment on whether or not they agree that a complaint out of time should be allowed, and this has caused criticism of the Church and contributes to a view that the Church looks after its own, especially senior clerics. The Chief of Staff emphasised the lessons learned in recent years, that had led to the change in rules in 2016, and assured the auditors that the circumstances that had led to criticism of the process would not happen now. There was an awareness at Bishopthorpe that, as one person said, 'Justice must be seen to be done'. There was no opportunity to triangulate these assurances.
- 3.3.24** A further aspect of the CDM is that it illustrates the status of the Archbishop in relation to the bishops of the Northern Province, that he is 'first among equals', unless he is hearing a complaint against a bishop. In one case seen, the assessor had noticed a piece of practice that struck the auditors as having the potential to contribute to domestic abuse and it was explained that the Archbishop can 'consult' with the bishop who had heard the case but not require or even recommend an action. In the view of the auditors, this means that an important opportunity is thus lost for setting and reinforcing good safeguarding standards. It also brings into question the value of the PSA advice in certain circumstances, if recommended actions are not implemented.

### **Safeguarding aspects of reassessment process required for potential return to ministry.**

#### *Description*

- 3.3.25** The Provincial Chaplain is responsible for the recruitment and training of pastors in the Diocese of York to support those who are subject to a CDM, and for the recruitment and training of the assessors in the Northern Province who review a clergy person's suitability to return to ministry after a prohibition. The training is done by the Provincial Registrar, the Provincial Chaplain, the CDM officer at Lambeth and the DSA of the Diocese of York. Pastors need to be able to hold onto their objectivity and avoid being sucked into accepting a false narrative whilst remaining supportive to a person whose livelihood might be at stake. They are often but not always members of the clergy. Assessors are often retired senior clergy but also lay people who have held senior posts, know the Church of England well and have relevant experience. The Provincial Chaplain is aiming to achieve greater consistency of approach across the province and across the two provinces by organising joint training programmes by Bishopthorpe and Lambeth Palaces.

#### *Analysis*

- 3.3.26** The auditors saw one example of a potential safeguarding issue being raised at the point of reassessment for return to ministry.
- 3.3.27** The auditors did not have time to review the work of either the pastors or the assessors referred to above, and it was not an agreed aspect of the audit.

## Experience of and support for survivors in the process

### *Description*

- 3.3.28** Survivors can and do use the CDM to raise concerns and complaints about clergy. This is evidenced in the formal papers within CDM files as well as in correspondence and other communications. A small number of cases indicated that there was direct contact between the Archbishop and the survivor, but this did not apply in all cases. In terms of support for survivors involved in CDM processes, the auditors were told that each diocese should provide a person to support lay people in bringing a CDM complaint, but heard that in practice the provision is variable and that, once lodged, a CDM complaint has to follow a legal schedule with strict time limits.
- 3.3.29** The auditors were struck by the potential obstacles for any lay person who wishes to raise the past behaviour of a cleric. Examples shared indicated a mixed picture in terms of the support being provided to survivors. Perhaps more pertinently for this audit, any role for the Archbishop in providing scrutiny and challenge of such provision is not included in the current CDM process.
- 3.3.30** Positively, auditors were told of a CDM complaint in response to a complaint which proceeded smoothly (albeit slowly), in which the survivor felt completely believed, was kept well informed and was supported throughout the lengthy process. The outcome was completely acceptable to the survivor concerned.
- 3.3.31** The auditors saw one attempted CDM complaint in which the complainant obviously had had no support, possibly because they were unaware that any was available. As a result, the survivor lodged their complaint (about the behaviour of a senior cleric two decades ago) before marshalling the evidence. Despite some extra time being allowed (10 days) by the President of Tribunal, the survivor was unable to submit in time and the CDM complaint did not proceed as a result. Whilst the decision of the President of Tribunal was correct in terms of the legal process, it did not feel reasonable from the complainant's viewpoint and left the safeguarding issue unaddressed at that point, although it was addressed subsequently.

### *Analysis*

- 3.3.32** From examples seen and heard by auditors, Bishopthorpe is doing its best to ensure that the CDM process works well, it is compliant with procedures, and that survivors are supported. Nevertheless, there remain some historic instances where survivors do not feel that their complaints have been well responded to and fully resolved.

### **Questions for the Palace to consider**

- To what extent should the Archbishop of York be actively working to address unresolved complaints and criticism by survivors about the handling of past CDM cases which relate to them, pending the outcome of the current review of the CDM process?
- Given his spiritual leadership role, is there a role for the Archbishop in championing the need to keep abuse survivors at the heart of any complaints process they initiate?



### 3.4 SAFEGUARDING ADVICE / SUPPORT

#### *Description*

- 3.4.1 The Palace is the workplace of the Provincial Safeguarding Advisor (PSA), a role set up in 2016. The PSA is employed and managed by the National Safeguarding Team (NST). According to the job description, the PSA has two functions related to the province and Palace:
- To provide professional safeguarding advice and support to the Archbishop's Office
  - To ensure that robust safeguarding arrangements are in place at Bishopthorpe.
- 3.4.2 These functions were originally envisaged to include taking on strategic oversight and day-to-day professional assessment and management of cases that relate to bishops and other high-profile people within the Northern Province.
- 3.4.3 The PSA also has a casework role that is managed and supervised by the NST. As the NST is not part of this audit, this aspect of the role is not discussed in this report.
- 3.4.4 In practice, the role of the PSA has changed and developed since 2016 and is set to change further as a result of a planned re-structure of the NST. In particular, the provincial focus that the PSA was able to maintain in the early days, through advice and consultation to diocesan and cathedral safeguarding advisors and attendance at provincial safeguarding meetings, has had to diminish due to the increasing demands of the national focus of the role.
- 3.4.5 The PSA has a responsibility to provide safeguarding advice and support to the office of the Archbishop of York with regards to provincial matters. As well as matters relating to the CDM, discussed above, this can include advising on strategic and policy implications arising from provincial safeguarding casework, and their implementation, advising the Archbishop about appropriate actions to take in response to complaints, and supporting the Archbishop's engagement with and response to national enquiries and reviews. The PSA also engages directly with survivors when appropriate.
- 3.4.6 Communication between the previous Archbishop and the PSA was ad hoc and responsive to issues as they arose. No written records were seen by the auditors regarding advice given by the PSA to the previous Archbishop, but the auditors understand that it was given in two other cases that could not be reviewed in the time available. The auditors were aware of advice given to the previous Archbishop about contact with a survivor.
- 3.4.7 The new Archbishop, following his practice as a bishop (and in common with most if not all bishops), has asked for regular meetings with the PSA in addition to unscheduled consultation. The meetings will be bi-monthly and although the timing of the audit was such that it was too soon for the auditors to assess the impact of this arrangement it should prove to be a positive development.
- 3.4.8 The PSA also has a role in advising the Provincial Chaplain when CDMs contain a safeguarding element, previously identified or not. This is described elsewhere in the report. The auditors are aware that the IICSA report is critical of the situation before 2016, when the Provincial Chaplain had to deal with safeguarding within CDMs without the support of a safeguarding professional.

#### *Analysis*

- 3.4.9 The PSA has been very active in working with staff and clergy to put systems and

protocols in place and provide training aimed at improving awareness and confidence in identifying and responding to safeguarding issues and ensuring a consistently good standard of practice.

- 3.4.10 Contact with survivors, both directly by the PSA or indirectly via advice given or through engagement with reviews and other safeguarding processes will help to address the perceptions that the church is reluctant to do this.
- 3.4.11 The auditors understand that the role of the PSA has changed and is likely to change further, and would advocate strongly for a Palace Safeguarding Adviser role should this no longer be within the remit of a provincial or regional role. Their view is that it is vital that the Archbishop and Provincial Chaplain have direct access to professional safeguarding advice as they deal with issues that may be high profile. In the meantime, the increasing demands on the PSA's time is a risk for both the Palace and the NST, and one which the Palace itself recognises should be included in their risk register.

#### **Questions for the Palace to consider**

- Given the public commitment by the Church's leadership to 'do better' with regard to safeguarding, particularly in response to survivors of abuse, how critical will be the role of safeguarding adviser to the Archbishop in contributing to this?

## 3.5 STAFF

### Safer recruitment

3.5.1 Nationally, safer recruitment practice is an essential part of the Church of England's approach to safeguarding. It is incorporated in the national Promoting a Safer Church policy, and the Palace's safeguarding policy includes a commitment to 'Safely recruit, train and support all those with any responsibility for children, young people and adults to have the confidence and skills to recognise and respond to abuse'.

#### *Description*

3.5.2 Recruitment and selection policy is set by the National Church Institutions (NCI).

3.5.3 Recruitment to all posts employed by the NCI, as the posts at Bishopthorpe are (except the Archbishop), is managed through an online portal by a team at Church House, Westminster.

3.5.4 The process was described as being:

- The job description (JD) is reviewed or produced at Bishopthorpe. All JDs now include reference to safeguarding. The PSA is always consulted on the safeguarding element of a JD and the DBS Administrator always checks any requirement for a DBS certificate, even if the role previously did not qualify.
- The advertisement and initial sifting of applicants is handled by Church House.
- Shortlisting is done at Bishopthorpe, using a matrix of essential and desirable qualifications and experience, and agreed with Church House.
- The interviews take place at Bishopthorpe. At least two members of the panel have received training in diversity and unconscious bias.

3.5.5 References are sought ahead of interview for any post that requires the safer recruitment process.

3.5.6 A local guide outlining the checks necessary to ensure that safeguarding has been considered during the recruitment process is in place. All posts now include a safeguarding element, and every interview since July 2019 now includes a discussion of safeguarding, whether or not safeguarding is a major part of their role

3.5.7 Unfortunately, the auditors only had time to review one recruitment file, and this pre-dated the current recruitment process.

#### *Analysis*

3.5.8 The recruitment process is acknowledged as working well and the involvement of the national office at Church House provides a check and balance to any biases that might emerge at Bishopthorpe.

### Training and supervision of staff

3.5.9 All post-holders at the Palace complete C0 and, increasingly, C1 online NST training, and the status of their training is tracked by the Safeguarding Administrative Assistant and by the PSA in her NST role.

3.5.10 In addition, once a year the whole staff group has a safeguarding training day tailored to their needs and organised and run by the PSA. Three such days have taken place so far: two focused on handling safeguarding issues within the Palace team (see



section 4.1) and the most recent was on mental health. The training days were talked about a lot and with universal appreciation. People said that they had felt more confident and more cared for as a result of the training and changes in practice made as a result, such as the debriefing that is now available on request.

3.5.11 Senior staff undertake the NST training required by their posts.

3.5.12 A small number of staff from relevant other organisations (such as the Archbishop of York Youth Trust) are invited to attend specific sessions on the annual safeguarding training day, as appropriate.

#### *Analysis*

3.5.13 Safeguarding training is at the appropriate level of the NST programme for all employees whose roles require it. The annual Bishopthorpe event adds real value to safeguarding practice within the Palace and the general culture (see also section 4.3). Awareness of the safeguarding needs of vulnerable adults is increasingly well developed, and the recent focus on mental health, together with the timing of the event (it took place virtually, during the first national 'lockdown') enabled participants to understand that safeguarding and vulnerability can occur within as well as external to the Palace. Training on the subject of domestic abuse has not yet been undertaken, but will further this understanding.

### 3.6 COMPLAINTS AND WHISTLEBLOWING

**The arrangements for and response to safeguarding concerns about Palace clergy or Palace related roles, complaints about the Palace safeguarding responses, and whistleblowing received by the Palace, including policy, risk management and record keeping**

#### *Description*

3.6.1 Bishopthorpe has adopted the NCI complaints policy, which sets out clearly to whom and in what circumstances it applies and a two-stage process that allows for the appointment of an independent investigator if circumstances warrant it.

3.6.2 No complaints in relation to how safeguarding is handled by Palace staff and/or the PSA were seen and the auditors are not aware of any.

3.6.3 Bishopthorpe has also adopted the NCI whistleblowing policy. As far as the auditors know, there have been no instances of whistleblowing.

#### *Analysis*

3.6.4 It is not possible to offer any analysis of this section as there were no complaints or whistleblowing to be reviewed.

### 3.7 POLICIES, PROCEDURES AND GUIDANCE

3.7.1 Staff based at Bishopthorpe use policies, procedures and guidance from three sources. The policies developed by the NCI cover recruitment, equal opportunities, whistleblowing, complaints, dignity at work and information sharing (the latter in draft). The House of Bishops Safeguarding Policy and associated practice guidance applies in its entirety.

3.7.2 In addition, in conjunction with the PSA, staff have developed local protocols and processes to support practice within the Palace. For example, there is an Aide Memoire to help anyone receiving a call about a safeguarding issue that is based on

NST practice guidance but adapted for Bishopthorpe. In response to a discussion at the annual safeguarding training day, a process was developed for debriefing staff. The purpose is, '... to ensure they have opportunity to talk about what has happened, their feelings and seek advice. It is offered as a support for staff, both in terms of their wellbeing but also as an opportunity to consider their own development and feedback any issues around safeguarding arrangements at Bishopthorpe'. People talked about finding both really useful, not because they often take such calls but because they want to get it right when they do. The attention to detail is demonstrated by a laminated paper that can easily be picked up and waved by a person taking a difficult call in the shared office. It serves as notice to others to be quiet, stop the printer or shredder, and make space for both people involved in that conversation.

### *Analysis*

- 3.7.3 The auditors found the local protocols to be particularly responsive to need and the evidence from the focus group is that they are well known, used and appreciated.

## 4 FINDINGS – LEADERSHIP AND GOVERNANCE

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### 4.1 SAFEGUARDING LEADERSHIP

#### **Strategic and spiritual leadership for safeguarding**

##### *Description*

- 4.1.1 The remit for theological leadership in relation to safeguarding is clearly always with the clergy and, in the Province, with the Archbishop. This is extremely valuable in helping congregations and clergy to understand why safeguarding is a priority and intrinsic to the beliefs of the Church of England. This aspect of the leadership role is the foundation for the culture of the Church and is critical in terms of making it a safer place for children and vulnerable adults.
- 4.1.2 Roles and responsibilities practice guidance gives the two archbishops the responsibility for providing leadership and direction in promoting a safer church. The current Archbishop of York interprets that as leading from the front, setting an example in how he responds personally to safeguarding issues, setting a high standard of behaviour, and promoting a culture of engagement and open communication. The Archbishop expressed determination to provide a high standard of spiritual and moral leadership within the Church and province. His decision soon after his appointment to apologise publicly for failing to follow up a safeguarding concern that was reported to him in his final days as a suffragan bishop is an example of him putting this commitment into action. This, he hopes, gives him a degree of authority in holding bishops to account for their own conduct. He was also a co-signatory of an open letter published shortly before the publication of the IICSA report that gave an unqualified apology for abuse suffered within and at the hands of the Church.
- 4.1.3 Operationally, leadership and governance are less clear. What looks from the outside (and is often assumed to be) an orderly hierarchy of rank and associated areas of responsibility and accountability is not in fact ascribed to the role.
- 4.1.4 The Archbishop of York is also the Diocesan Bishop of the Diocese of York. The auditors were told that the new Archbishop swiftly saw the need to differentiate his responsibilities as Diocesan Bishop and took the legal actions needed to ensure the suffragan (assistant) bishops have episcopal functions delegated to them for the whole diocese. As a result, the suffragan bishops now hold delegated responsibility for many areas that would previously have been the Archbishop's responsibility. The auditors did not explore the expected impact on safeguarding as this was not an audit of the diocese.

##### *Analysis*

- 4.1.5 In a culture where moral leadership is as important as managerial leadership, the Archbishop's decision to own up publicly to previous mistakes has set a new standard for the future. However, in terms of a provincial leadership role for safeguarding and the promotion of the theology of safeguarding, it is too early in the Archbishop's tenure of the post to see evidence of sustained, coordinated action.
- 4.1.6 The system of 'checks and balances' which has operated historically within the Church of England may have served the church well in many respects but has created a lack of clarity about where responsibility lies, especially for safeguarding.
- 4.1.7 The unclear relationships between the province and the dioceses, and the two

provinces of York and Canterbury, may have led in the past to a confusion of responsibilities, inconsistent responses and messaging and even a lack of accountability, which is a serious problem in relation to safeguarding. This appears often to be at the bottom of many of the difficulties experienced by survivors in getting a response from the church that they experienced as prompt and fair. The development in recent years of national practice guidance, protocols and training, together with increasingly close alignment between the two palaces (see para 4.2.3), should mean that these types of problems are less likely to occur.

- 4.1.8 The auditors were told about a review of governance in the Church, due to report in 2021. In terms of the work of the NST and the network of DSAs and CSAs, the report supports the view that governance should be independent of the Church, a view accepted by both archbishops. Presumably, the governance of church structures that support safeguarding, such as the advisory panels and reporting systems, will then need to change too. At present, this is not clear. However, it would appear sensible for immediate action to be taken to ensure a much closer alignment between the two provinces, mirroring the joint assignment of leadership responsibilities to the two archbishops.

#### Questions for the Palace to consider

- How might the Palace, working with the NST and safeguarding colleagues in Lambeth Palace, further develop a joint approach to safeguarding which clarifies accountability, promotes consistency across the two provinces, increases resilience and allows for an appropriate balance to be achieved between Palace- and NST-focused work?
- How can safeguarding leadership by the archbishops be strengthened, including through coming to a common position? What is the Archbishop of York's role in achieving this?

### Operational responsibility for safeguarding

#### *Description*

- 4.1.9 The senior post at Bishopthorpe is the Chief of Staff. The present post-holder has worked at Bishopthorpe for 13 years. He is ordained and is due to move on soon, raising the possibility that his successor may be a lay person. The Chief of Staff has a small staff team, all based on site in normal times, and as such has a high degree of interpersonal influence.
- 4.1.10 The Chief of Staff has management responsibility for safeguarding within the Palace, in terms of safe working practices, policies and procedures, recruitment, training, etc. He and his staff have worked very effectively with the PSA since 2016 to introduce local protocols, discussed below, and he has given complete support to the annual training events.
- 4.1.11 The Chief of Staff works with the NST to ensure that safeguarding work locally is aligned with what is happening nationally, to maintain open communication, and to provide joint oversight of the work of the PSA.

#### *Analysis*

- 4.1.12 As the safeguarding landscape within the Church evolves, the role of Chief of Staff as a local leader of safeguarding is likely to become more significant. The forthcoming departure of the current post-holder provides the Palace with an opportunity to think

about its future needs within the Palace and province. This may involve consideration of how it might engage more deeply with survivors.

#### Questions for the Palace to consider

- How will the job description of the new Chief of Staff be drawn up so that it takes the practice of safeguarding forward as the Archbishop would wish it?

## 4.2 OVERSIGHT AND QUALITY ASSURANCE

### *Description*

- 4.2.1 There is no specific means in place to provide oversight of safeguarding practice in Bishopthorpe, other than through the supervision and line-management arrangements of the PSA, and the contribution of the PSA herself to the development of good working practices.
- 4.2.2 The Palace has a regular safeguarding update meeting that brings together the Chief of Staff, the PSA and the Assistant, and the NST's Deputy Director, Casework. The meeting reviews relevant national cases on a 'need-to-know' basis, considers matters raised by Bishopthorpe staff and acts as a planning forum for national initiatives such as the Past Cases Review 2. An example of an issue raised by staff was the recent realisation that the Palace was not monitoring its social media for safeguarding concerns.
- 4.2.3 More recently, Bishopthorpe has joined a regular safeguarding meeting with Lambeth and the NST, with the aim of developing a more consistent approach to safeguarding across the two provinces.

### *Analysis*

- 4.2.4 Overall the work of the update meeting is useful and necessary. The auditors raised the fact that there are no terms of reference at present and thought that the process of agreeing these would bring to the surface any other areas that might benefit from regular action planning.
- 4.2.5 At a provincial level, there is no external body (equivalent to the diocesan safeguarding advisory panels) that exists to hold the senior clergy to account for their management of safeguarding issues, complaints and representations. Such a body could enable the formal engagement of survivors with the Church to support the positive contribution to improvement and transparency that so many are committed to contributing.

#### Questions for the Palace to consider

- Are there ways in which the safeguarding update meeting could support the further development of safeguarding practice within the Palace and spread ownership across the staff team?
- How might an external, independent system be established to provide oversight of disciplinary processes and complaints against higher status clergy and contribute to improvements in safeguarding processes and outcomes?

## 4.3 CULTURE

### *Description*

- 4.3.1 The auditors were told that a change in the culture of safeguarding at Bishopthorpe might be dated to 2013, when the previous Archbishop, John Sentamu, commissioned an inquiry into abuse perpetrated by Robert Waddington, the former Dean of Manchester (the Cahill Report, published 2014). They accept that, for the then Archbishop, the content of the report was highly significant. In the preface, he called for an institutional culture free of any systemic failure in relation to safeguarding children and talked more informally, in the Yorkshire Post, of being ‘deeply ashamed’ at the lack of vigilance by the Church.
- 4.3.2 The work to improve the culture of safeguarding at Bishopthorpe discussed in section 4.3.5, took place during the tenure of Archbishop Sentamu and, the auditors were told, was warmly encouraged by him. The new Archbishop, Stephen Cottrell, has his own views about what needs to change in the Church as a whole and has chosen to start in his domestic sphere at Bishopthorpe.
- 4.3.3 The Archbishop is seeking to change the ‘culture of deference’ in the Church, also known as the culture of clericalism. The IICSA report (part B.6.2) talks about concerns regarding the culture of safeguarding in the Church of England including the culture of clericalism that existed in which, ‘The moral authority of clergy was widely perceived as beyond reproach. They benefited from deferential treatment so that their conduct was not questioned, enabling some to abuse children and vulnerable adults’.
- 4.3.4 The auditors were told about ways in which the Archbishop seeks to subvert deference, such as his informal personal style and insistence on being universally addressed by his first name and not his title. The auditors’ view is that this had a tangible impact on the staff group, and is likely to bolster a stronger safeguarding culture in which people feel able to challenge and question.
- 4.3.5 The expectation of deference in a hierarchical structure bolsters a culture in which senior people cannot be challenged or, if they are challenged, react oppressively to close down the challenge. The auditors agree with the Archbishop that deference to senior clerics has had a damaging impact on the willingness of the Church to admit abuse and deal with it.
- 4.3.6 Communication within Bishopthorpe has changed due to COVID-19 and remote working as staff are not meeting face to face. Previously, there was one all-staff meeting a month and a more formal monthly National Church Institutions meeting, at which safeguarding would be on the agenda. Instead, a regular Monday ‘huddle’ (online) brings everyone up to date on what has happened and is expected. This includes external events that may have an impact, such as the publication of the IICSA report and A Betrayal of Trust (an independent report into the late Bishop Whitsey). Everyone in the focus group felt included.
- 4.3.7 When asked what should happen next, members of the focus group flagged up the need for more independent rigour, improving how survivors experience their reception and treatment and better signposting to other resources. They were aware that the Church of England is perceived as one homogenous entity by outsiders.

### *Analysis*

- 4.3.8 Overall, the auditors found the culture of safeguarding within the team at Bishopthorpe to be strong and well embedded and felt confident that the ground is fertile for it to grow stronger. The view that safeguarding is everybody’s responsibility

was widely articulated and respected. People really want to do it well and to make a difference.

- 4.3.9 Much of the credit for this must go to the PSA, supported by the Chief of Staff and other officers. The focus group members could all talk about their role in terms of safeguarding and, between them, could trace the evolution of safeguarding from being business done by the PSA and Assistant to being the responsibility of everyone. They spoke warmly of the development of a suite of internal protocols (see section 4.1) and evidently found them useful. They talked about a culture in which it is fine to ask questions.
- 4.3.10 Online publication of the Cahill Report (see paragraph 4.3.1), which has to date only been available from Bishopthorpe Palace or from Church House Bookshop, Westminster in hard copy together with an update of what has been done in response, might help give further prominence to the commitment by the Archbishop of York and the Palace to promoting an open and transparent culture of safeguarding.



## 5 FINDINGS – PALACE FUNCTIONS

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### 5.1 CHILDREN AND VULNERABLE ADULTS

- 5.1.1 As there are children who live on site, the audit considered the extent to which Palace/province staff are cognisant of their safety e.g., points of entry, codes of conduct.

#### *Description*

- 5.1.2 There are three resident staff at the Palace, including the Archbishop, bringing the potential for children to live there or visit. At present, there is one family with two teenage children living on site. The accommodation is separate to the offices with no shared areas other than one staircase, external to the apartment in question. Parents are responsible for the safety of their children, especially during events that are open to all, such as the annual village fête. No issues were identified and staff were aware of the need to respect the privacy of the families.

#### *Analysis*

- 5.1.3 No issues were identified.

### 5.2 EVENTS, VISITORS, VOLUNTEERS.

#### **Safeguarding arrangements, policy, procedure and practice, in respect of events, visitors and volunteers at the Palace.**

#### *Description*

- 5.2.1 Bishopthorpe Palace is a relatively open site and includes offices in the old stables that, in normal times, are visited by people whose business is not connected to the Palace.
- 5.2.2 The Palace website advises that, 'The palace and its grounds are used for charity open days, retreats, evening receptions, village fetes, and more'. In practice, the auditors were told that there has been limited use of the Palace as a centre for functions in recent years, although the Archbishop wants to make it more open and accessible to a wider range of people.
- 5.2.3 In terms of safeguarding, visiting groups are responsible for the safeguarding of their own members. The Palace and Events Manager oversees all visits and events. The auditors were given a recent protocol, 'A Safe Palace', that sets out how this is put into practice.
- 5.2.4 Booking agreements are subject to a safeguarding declaration and a risk assessment is completed by any visiting schools who take responsibility for the welfare of children during their trip. A copy of the risk assessment and safeguarding declaration are kept by the Palace and Events Manager.
- 5.2.5 Events booking is conditional upon a hire agreement which includes organisational safeguarding expectations around safer recruitment of staff, supervision of children and vulnerable adults and reporting of safeguarding concerns. The Palace and Events Manager alerts Palace staff if any visits are likely to include children.
- 5.2.6 There are no volunteers at Bishopthorpe.

#### *Analysis*

- 5.2.7 At present Bishopthorpe is a safe site and the processes are in place to risk assess



potential visiting groups. Should the Palace move to a more open and individual visiting regime, this will need to be re-thought.

**Questions for the Palace to consider**

- What steps need to be taken to ensure that the plans for achieving a significant increase in visitors to the Palace are accompanied by a realistic risk assessment to ensure that all are kept safe?

### 5.3 RELIGIOUS COMMUNITIES & ASSOCIATED ORGANISATIONS.

**Safeguarding assurance arrangements and practice with religious communities and organisations associated to the Archbishops and operating from the palaces (for Bishopthorpe: The Archbishop of York Youth Trust, Order of the Holy Paraclete, and the Missional Youth Church Network)**

- 5.3.1** One Church-related organisation has offices in the stable block, physically separate to the Palace but within the grounds. It is responsible for its own safeguarding policies and procedures. The Chief of Staff was satisfied that the organisation has them and that they are fit for purpose.

## 6 CONCLUSIONS

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This section provides the headline findings from the audit, drawing out positives and the areas for improvement. The detail behind these appraisals are in the Findings.

- 6.1.1 The auditors agreed with all the aspects raised in the self-assessment completed by the Palace before the audit. There is much to be proud of as well as a shared view about what needs to happen to make sure that safeguarding is properly resourced and well supported.
- 6.1.2 The Palace benefits from being a small and closely-knit team in which safeguarding is accepted as an important function and there is a collective will to do it well. The people who talked, formally or informally, with the auditors felt involved in a way forward and change was seen as a positive force.
- 6.1.3 Progress since the arrival of the PSA has been rapid, as discussed in paragraph 4.3.9. The auditors were struck by the confidence of focus group members, that they know what to look for and how to respond, feel able to ask questions and support each other. Staff value the annual training they share and the new debriefing sessions on offer. In the focus group, everyone contributed and there was no hint of it feeling unsafe to express an opinion.
- 6.1.4 The timing of the audit was fortuitous as the new Archbishop has been in post for long enough to have started forming action plans and the Chief of Staff has not yet moved on (a planned move).
- 6.1.5 Impressive attention has been paid right across the staff group to developing and embedding good working practices that promote the idea of safeguarding being 'everybody's business', e.g. the aide memoires that guide people when taking sensitive phone calls, the practical step of having a 'flag' to raise so that others know to be quiet, and the safeguarding debrief offered by the PSA that not only supports the individual but also identifies training and other issues which need to be addressed. Record keeping is excellent.
- 6.1.6 Policies and procedures are a mixture of Church-wide and Palace-specific. The latter are relevant, clear, and developed from experience of what is needed and where gaps have been identified.
- 6.1.7 The role of the PSA and the strong working relationship between the PSA and the Provincial Chaplain have made a tangible difference to the handling of CDM complaints that have a safeguarding aspect.
- 6.1.8 Feedback from DSAs and other diocesan staff across the province is that the PSA role has been very helpful and supportive although there is recognition that less time is now available for that aspect of the role. The auditors also heard similarly from survivors to this effect.
- 6.1.9 The annual training days organised by the PSA are highly valued and have made a tangible impact on practice.
- 6.1.10 In terms of areas to address, the auditors agreed with those identified in the self-assessment, particularly regarding PSA capacity, and would add that this is not helped by the dual accountability of the role in relation to NST and province.

- 6.1.11 The auditors understood the anxiety about the decrease in focus on Bishopthorpe, as the Palace needs to lead by example and systems must be strong so that the chance of mistakes is minimised. The auditors' view is that there should be a safeguarding adviser based at the Palace and with responsibility within the Palace going forward.
- 6.1.12 The Archbishop and his staff need to have an awareness of how opinions expressed and actions taken at Bishopthorpe will be seen in the wider world, and the impact of negative publicity on safeguarding and on survivors, both those who are known and those who are still unknown. This feels particularly relevant in the context of the current Past Cases Review 2 and the argument for transparency, to differentiate it from previous past case reviews that were unpublished or not published in full. And in the context of the IICSA report, change needs to be made at a purposeful rate. It seems right that the Archbishop has robust safeguarding support close to hand.
- 6.1.13 The Archbishop in his role as the leading bishop (first among equals) in the Northern Province with responsibility for providing leadership and direction in promoting a safer church, is in a unique position to set the tone and model the nature of the Church's relationship with survivors of abuse by clergy and people in Church-related roles.
- 6.1.14 The safeguarding update meetings work well but might be expanded and would benefit from terms of reference setting out what the meeting is for, what gets discussed and how agreed actions are tracked.
- 6.1.15 In the feedback given to the Palace, the auditors gave the last words to the survivors they spoke with before the audit. The themes that emerged for the Palace and for the Church as a whole were:
- They want to be respected, acknowledged and not fobbed off.
  - They want an apology where one is needed.
  - Good support should be readily available, without time and cost limits
  - The Church needs to get the basics right and have clarity about processes.
  - The Church needs to 'learn from people like me'.

## APPENDIX: REVIEW PROCESS

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### DATA COLLECTION

#### Information provided to auditors

The pre-audit reading consisted of:

##### General documents

- Bishopthorpe Safeguarding Self-Audit
- Timeline of safeguarding since 2016

##### Staffing and structure

- Organogram of the Bishopthorpe Staff Team
- Organogram of the National Safeguarding Staff Team
- Job description for the Provincial Safeguarding Adviser
- Job description for the Safeguarding Administrative Assistant
- Casework protocol between Bishopthorpe Palace, Lambeth Palace, the Dioceses and the National Safeguarding Team

##### Bishopthorpe protocols and templates

- Bishopthorpe Safeguarding Local Protocol Overview (DRAFT)
- Bishopthorpe Safeguarding Triage
- Bishopthorpe Palace Incoming Correspondence Protocol
- Safeguarding Social Media Flowchart
- Bishopthorpe Palace CDM and Safeguarding Protocol
- Safeguarding Blue File Summary Sheet
- Bishopthorpe Palace Aide Memoire for Safeguarding Calls
- Bishopthorpe Palace Aide Memoire for Disclosures
- Bishopthorpe Palace Safeguarding Debrief Template
- Bishopthorpe Palace Safer Recruitment Process
- Bishopthorpe Palace Induction Guide for staff
- Bishopthorpe Palace Safeguarding induction checklist for new staff
- Bishopthorpe Palace – A Safe Palace
- Bishopthorpe Palace Hire Agreement
- External organisations who can provide support

## National Church Institutions policies

- National Church Institutions Recruitment and Selection Policy
- National Church Institutions Equal Opportunities Policy
- National Church Institutions Whistleblowing Policy
- National Church Institutions Complaints Policy
- National Church Institutions Information Sharing Agreement (DRAFT)
- National Church Institutions Dignity at Work Policy

## General

- Bishopthorpe Palace safeguarding update meeting minutes (20 August, 22 September, 14 October 2020)
- Minutes from the Bishopthorpe update group meetings (safeguarding only)
- Archbishop of York's Youth Trust Safeguarding Policy

## Websites

Archbishop of York:

<https://www.archbishopofyork.org/safeguarding>

CDM process:

<https://www.churchofengland.org/about/leadership-and-governance/legal-services/clergy-discipline>

Church of England Policies:

<https://www.churchofengland.org/safeguarding/promoting-safer-church/policy-practice-guidance>

## Participation of Palace staff

The auditors talked, primarily online, with the following people:

- The Archbishop of York
- The Chief of Staff
- The Provincial Registrar
- The Provincial Safeguarding Adviser
- The Provincial Chaplain (in her role regarding the Clergy Disciplinary Measure)
- The CDM Administrator
- The Deputy Director, Casework, at the National Safeguarding Team
- The Office Manager

- The Assistant Secretary.

A focus group included a cross-section of Palace staff in roles that are not primarily about safeguarding but have an impact on how safeguarding is seen and practised at the Palace. Informal conversations with a couple of staff who were not in the focus group also provided evidence on the change in culture.

**What records / files were examined?**

The auditors read two case files of cases in which the PSA had played a major role, but later ruled these out of the audit because they were the work of the PSA in her NST capacity, and this audit did not extend to the NST.

The auditors reviewed nine files relating to the actual or attempted use of the Clergy Disciplinary Measure by a range of complainants.

The auditors also read a number of brief recordings of concerns and questions about safeguarding that had come into the Palace in order to understand the role of the PSA as a support to the Palace.