

Joint Response to Recommendations from the National Safeguarding Steering Group, the House of Bishops and the Archbishops' Council

As we said at the publication of the overarching IICSA report in October, the findings made shocking reading and the Church is absolutely committed to learning and applying lessons particularly in its response to victims and survivors. As the report stated, the Church of England failed to protect some children and young people from sexual predators within their midst. While we will continue to apologise, our main focus must be recognising the distress caused and acting to improve our safeguarding structures and change our culture. This is vital for the whole Church.

We accept the recommendations made by the inquiry in full. We now publish more detailed responses to the recommendations focusing on response to victims and survivors including redress, structure and independence, information sharing, revision of the Clergy Discipline Measure and external audits.

To successfully deliver these recommendations an IICSA safeguarding programme has been set up, with a governance structure to ensure the work is closely monitored. The Archbishops' Council, who led the response to IICSA on behalf of the institutional church, will be responsible for ensuring the work is completed (with updates to the House of Bishops and General Synod). We will set up dedicated project boards for each recommendation to ensure effective delivery and accountability.

Recommendation 1: The structure of safeguarding in the Church of England. There are two parts to this recommendation, part 1 of which relates to diocesan safeguarding structure, and part of which relates to Church of England volunteers:

Recommendation 1, Part 1: 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).

The NSSG, House of Bishops and Archbishops' Council welcome the recommendation to replace Diocesan Safeguarding Advisors with Diocesan Safeguarding Officers and agree that it is essential that DSOs, as qualified safeguarding professionals, can and do take decisions of the kind set out in this recommendation independently of clergy (including diocesan bishops).

As the inquiry notes, the Diocesan Safeguarding Advisor Regulations 2016 (DSA regulations 2016) have already been amended to make clear that a DSA may refer to statutory services without the agreement of the Diocesan Bishop. Canon C30 and the associated DSA regulations will be amended to accommodate the change to Diocesan Safeguarding Officer and strengthen and clarify further that safeguarding decisions are made by the DSO, not by clergy. The regulations will also set out the independence of the DSO by making clear that they must be professionally supervised by the National Safeguarding Team. This supervision arrangement will include casework decision making, which will therefore be independent of the diocese. In addition, the amended regulations will provide for a consistent job description for all Diocesan Safeguarding Officers.

The NSSG, House of Bishops and Archbishops' Council agree that DSOs are best placed to decide which cases to refer to the police or social services, and what action should be taken by the Church to keep children safe. We further agree that Diocesan bishops have an important role to play, in particular to help congregations and clergy to understand safeguarding and to make it a priority, "intrinsic to the beliefs" of the Church of England, but they should not hold operational responsibility for safeguarding decision making.

The National Safeguarding Team has previously proposed a regional safeguarding structure, with Regional Safeguarding Leads working with small clusters of dioceses to provide professional supervision for diocesan safeguarding professionals. At its meeting in November 2020, the NSSG concluded that the already proposed regional model may be an effective way of introducing the further changes required by this recommendation. They therefore agreed to take forward the Regional Model on a pilot basis. To ensure the proposals will effectively meet this recommendation and will enhance our safeguarding structure, we will work with pathfinder dioceses to learn from this pilot. This will allow us to adapt and amend any arrangements as necessary.

The Archbishops' Council and the House have already agreed to the principle of independence in safeguarding. We accept and support recommendation 1, but also aim to go beyond this, to establish an independent structure of oversight of safeguarding, voted for by both the Archbishops' Council and the House of Bishops. We are urgently taking forward the further work needed in order to achieve this independent structure, which is likely to require legislation. In the meantime, given the importance of making progress, the Archbishops Council are moving to put an interim arrangement in place. The approach was shared with members of the General Synod at an informal meeting in February 2021 and we aim to have the interim structure in place by the end of summer 2021. Further information is set out [here](#).

Recommendation 1, Part 2: 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.

The NSSG, House of Bishops and Archbishops' Council accept the principle of this recommendation, that those in voluntary roles within the Church of England must follow House of Bishops safeguarding requirements, including any directions given by Diocesan Safeguarding Officers. The National Safeguarding Team have begun to incorporate this principle into the current work to revise national safeguarding policy. So far this has included revisions of *Safer Recruitment and People Management* and *Safeguarding Children, Young People and Vulnerable Adults policies*. In order to give effect to this recommendation, the National Safeguarding Team is giving detailed consideration to key issues, including

- Who is considered a volunteer
- How 'working with children' will be defined
- The lines of accountability required, including who would be responsible for removing a volunteer from work with children.

Recommendation 2: Revising clergy discipline

The Church of England should make changes and improvements to the way in which it responds to safeguarding complaints (whether related to allegations of abuse, or a failure to comply with or respond to the Church's safeguarding policies and procedures) to:

- disapply the 12-month time-limit for all complaints with a safeguarding element brought under the Clergy Discipline Measure;*
- reintroduce the power to depose from holy orders where a member of the clergy is found guilty of child sexual abuse offences;*
- introduce a mandatory 'code of practice' to improve the way that safeguarding issues are handled across the Clergy Discipline Measure and capability procedures, including a framework for responding to issues that do not amount to misconduct;*
- make clear that penalty by consent must never be used in relation to such complaints;*
- ensure confidentiality agreements are not put in place in relation to such complaints; and*
- ensure that those handling such complaints are adequately and regularly trained.*

The Church is committed to making changes and improvements to the way that it manages all complaints against members of the clergy, including safeguarding complaints. The NSSG, House of Bishops and Archbishops' Council endorses the proposals of the CDM working group to replace the Clergy Discipline Measure ("CDM") 2003 with a new set of provisions. Those provisions will, as now, include a disciplinary process and will be accompanied by a mandatory code of practice or similar, which will place emphasis on the standard of conduct which is required of clergy. The new system will make specific provision for safeguarding matters and the Church is giving careful thought to a comprehensive and workable definition of safeguarding for this purpose. The new system will make improved provision for the way in which the Church addresses discipline and capability. The new system will also provide for early allocation of complaints to a different track depending on seriousness.

The proposed CDM reform, set out above, will disapply the 12-month time-limit for all safeguarding-related complaints.

Legislation to reintroduce the power to depose from holy orders will be brought forward as soon as practicable. The abolition of provision for penalty by consent is proposed for all cases, whether there is a safeguarding element or not.

We support the proposal for a replacement provision which enables respondents to acknowledge their misconduct early in the process, reducing the need for victims and survivors of abuse and vulnerable adults to be subject to the delay and trauma of a tribunal process. Under this proposal, where there is an early admission of serious misconduct (which would include safeguarding-related complaints where appropriate) any penalty will be subject to the independent oversight of the chair of a disciplinary tribunal.

The existing code of practice published by the Clergy Discipline Commission provides that all penalties and tribunal determinations should be published. The current clergy discipline provisions expressly provide for the tribunal's determination to be pronounced in public. The proposed replacement will take the same approach and will stipulate that confidentiality provisions must not be used.

The NCI Legal Office has taken steps to introduce new training for those who handle complaints in dioceses in connection with the special measures which may be required, which continues to be developed. The NCI Legal Office is preparing proposals as to how regular formal training may be facilitated across the Church. We agree that any Designated Officer will undergo appropriate specific training on handling cases which involve vulnerable people and victims and survivors of abuse.

Recommendations 3 and 4

These recommendations relate to the Church in Wales.

Recommendation 5: Information-sharing between the Church of England and the Church in Wales

The Church of England and the Church in Wales should agree and implement a formal information-sharing protocol. This should include the sharing of information about clergy who move between the two Churches.

The Church of England and the Church in Wales welcome this recommendation. It should be noted that information sharing already takes place between the two churches. The Church of England provides a 'Current Clergy Status Letter' (CCSL) and episcopal reference to the receiving bishop within the Church in Wales, which will include information about any safeguarding concerns and the Church in Wales has a similar process. Both organisations are working together to ensure a standard reciprocal process is established. The two churches are seeking to strengthen information sharing arrangements by putting in place an information sharing protocol and sharing agreement as swiftly as is practicable. The House of Bishops policy 'Personnel Files Relating to Clergy' (2018) will be amended to provide for the sharing of a copy of a Church of England clergy file with the Church in Wales when a member of clergy takes a position in the Church in Wales, and the Church in Wales will do the same with any relevant policy changes required on their side.

Recommendation 6: Information-sharing between the Church of England, Church in Wales and statutory partners

The Church of England, the Church in Wales and statutory partners should ensure that information-sharing protocols are in place at a local level between dioceses and statutory partners.

The NSSG, House of Bishops and Archbishops' Council accept this recommendation and progress has been made to implement it. As a non-statutory agency, it can be challenging for Church entities to obtain necessary safeguarding information from statutory services, as the inquiry's work has highlighted. We welcome the opportunity to work with statutory partners to put information sharing protocols in place. We will also develop template information sharing agreements which may be adapted and used by dioceses on a local level with statutory partners such as local authorities.

Initial discussions with the National Association of Police Chief Officers were held at the end of 2020 and an Information Sharing Agreement to be used between Police and the Church of England and the Church in Wales has been proposed and is being reviewed by all parties.

Recommendation 7: Support for victims and survivors

The Church of England and the Church in Wales should each introduce a Church wide policy on the funding and provision of support to victims and survivors of child sexual abuse concerning clergy, Church officers or those with some connection to the Church. The policy should clearly set out the circumstances in which different types of support, including counselling, should be offered. It should make clear that support should always be offered as quickly as possible, taking into account the needs of the victim over time. The policy should take account of the views of victims and survivors. It should be mandatory for the policy to be implemented across all dioceses.

The NSSG, House of Bishops and Archbishops' Council wholeheartedly recognise the wrongs of the past and welcome this recommendation. We will work tirelessly to repair those wrongs and improve the experience for victims and survivors.

There has been ongoing work within the Church to start to address these issues. Policies are currently being re-drafted to ensure that victims and survivors' needs are at the centre of the of the

Church's response to disclosures and reported safeguarding concerns, and to set out what victims and survivors can expect following a disclosure of abuse.

Policies

The 'Responding well to victims and survivors of abuse' policy, under revision, specifically addresses Recommendation 7's direction that the Church should have support services for survivors. This policy will specify a minimum level of support that all Church bodies (making it a wider requirement than just dioceses) must provide to survivors in terms of therapeutic support, including counselling services. To ensure that the viewpoints of victims and survivors are incorporated, they have been consulted in the revision of the policy and the Church will continue to involve survivors in the next stages of development.

Services

Safe Spaces: This service, commissioned by the Church of England and the Catholic Church of England and Wales, is run by the independent charity Victim Support. It is a confidential, free service for victims and survivors to access advocacy and other support delivered by trained professionals. The service launched in September 2020 as a two year pilot. It will be independently evaluated to ensure that it is as effective as possible. We continue to be grateful to the victims and survivors who were integral to the development of this service. Victims and survivors continue to be involved in a number of ways, including as members of the Safe Spaces Advisory Committee.

Interim Support Scheme: The scheme, approved in outline by the Archbishops' Council in autumn 2020 and now introduced in pilot form, is designed to enable the Church to improve its response to current and non-recent survivors of Church-related abuse where the victim or survivor is known to be in seriously distressed circumstances. The scheme, developed and delivered with the involvement of victims and survivors, recognises that harm has been caused by both abuse and the Church's response to survivors. During the pilot the scheme has helped a number of survivors. The Church will continue to learn and develop from experience and will take into account the lessons learned from this support scheme as it develops a wider menu of options for restorative practice working with key stakeholders, including survivors.

Redress Scheme

The Church is developing national proposals for redress within the Church, including financial compensation, support for rebuilding lives, emotional well-being support and apology. We are also looking to introduce an early mediation scheme for claims of abuse. A dedicated Redress Scheme Development Manager has been recruited (and has started work) to take this work forward. Meetings will commence shortly with survivors and key stakeholders across the Church.

Recommendation 8: Auditing

The Church of England should continue independent external auditing of its safeguarding policies and procedures, as well as the effectiveness of safeguarding practice in dioceses, cathedrals and other Church organisations. Audits should continue to be conducted regularly and reports should continue to be published.

The NSSG, House of Bishops and Archbishops' Council remain committed to the vital programme of 5 yearly independent audits which began in dioceses in 2015. The safeguarding audits of cathedrals and palaces being undertaken by SCIE will continue during 2021, with a small number taking place in 2022 (the programme was delayed because of the Covid-19 pandemic). This process has enabled Dioceses and Cathedrals to receive an independent evaluation of their safeguarding effectiveness.

We will be introducing a new quality assurance framework and we plan to initiate a fresh round of audits for dioceses and other church bodies from 2022 as part of that work. Key to the new quality assurance framework is the development of clear national safeguarding standards against which the Church's safeguarding practice can be measured. During the summer of 2020 we developed the draft standards, taking account of learning from the SCIE audits, as well as the views of victims and survivors.

These draft standards will undergo further consultation with final approval expected in summer 2021. These standards will then provide the focus for the commissioning of the independent audit programme.