

**Archbishops' Council**  
**Interim Support Scheme**

**Guidance Note 1**

1. This note is intended to provide survivors and their advocates with some further information about the way in which the Interim Support Scheme ("the Scheme") will work in practice.
2. Anyone who wishes to apply for support under the Scheme is also encouraged to look at the flow chart which shows the various steps which an application will follow and sets out who takes various decisions at each stage.
3. Please note that as we learn more from the operation of the Scheme we may amend this guidance note and/or provide further guidance.
4. A reference to a panel in this note is to any panel to which the Scheme refers.

Eligibility

5. We recognise that for many survivors the impact of abuse is lifelong but this particular Scheme is only intended to provide for support which arises from urgent and time-limited needs. Because of that limited focus, we want to ensure that we take a proportionate approach to the information which decision-making panels need to have about each survivor's case.
6. The Scheme aims to provide support to survivors of Church-related abuse, which is abuse perpetrated in the context of the institutions which formally make up the Church of England. It is abuse perpetrated, for example, by those who at the relevant time held office in the Church or where the abuse happened in a Church of England place of worship or in the context of the Church's activities. It is not intended to have in scope abuse which happened outside the Church's direct activities, for example in schools.

Types of support

7. We want to make sure that a survivor is able to apply for the urgent support which is appropriate to their particular circumstances.
8. Those who apply need, however, to remember that the Archbishops' Council is a charity and can only approve payments which it is lawfully entitled to make. As a result there will be elements of support which the Scheme cannot provide.
9. Because the purpose of the Scheme is limited we will not usually make payments for matters, such as debt relief, which may have a number of long-term causes which we cannot safely and properly assess without taking more time to consider than we have available where the need for support is urgent. Payment of debts owed by a company will not fall within the terms of the Scheme;

Panel Secretary

10. We expect that the Panel Secretary will act as a single point of contact for survivors and their advocates and the members of panels. At an early opportunity the Panel Secretary will ask the survivor and advocate to confirm with whom ongoing communication should take place.

11. The Panel Secretary is not a decision-maker under the Scheme and will need to seek the input of members of the panel as queries arise. In some cases this may lead to a delay in response.

#### Advocates

12. We understand that some survivors would like to have the assistance of a person to support their application and to speak on their behalf. Each survivor should have the support of someone who they trust, and in many cases a close friend or relation may be best placed to help. In some cases, however, we think that survivors will need support from advocates with particular skills and experience and we plan to provide further guidance on this.

#### Consideration of applications

13. We anticipate that in most cases, the Panel Secretary will review an application before it comes to a panel for consideration and the Panel Secretary may need to enter dialogue with the survivor or their advocate if the Panel Secretary thinks that the panel is likely to need more information.
14. As the Scheme sets out, the panel may need to consider in any case whether a survivor has already received compensation which specifically covers the support which is sought under the Scheme (for example for loss of earnings for a particular period or for a particular course of therapy). The panel will in no circumstances form a judgment about the use of any previous award.

#### Personal data

15. We recognise that for many survivors the need to retell their accounts is traumatic. In light of the fact that the Scheme aims to address urgent and immediate needs, we will do all we can to limit the amount of information that we need, though we will require enough details in any case to assess any conflicts of interest (see further below). This means that we will usually need to know the name of any survivor who applies, and to ensure that the Scheme's eligibility criteria are met. The amount of information which we will need will depend on the particular support which is sought in any case. We would like to assure you that we take our obligations in connection with your personal data seriously and further details in respect of this can be found in the accompanying Privacy Notice.

#### Conflicts of interest and loyalty

16. A conflict of interest is any situation in which a panel member's personal interests or loyalties could prevent, or could be seen to prevent, the panel member from making a decision in accordance with the requirements of charity law.
17. Such a situation may arise either:
  - (a) where there is a potential financial benefit to a panel member, whether directly or indirectly through a connected person (which generally includes family, relatives or business partners, as well as businesses in which a person has an interest through ownership or influence); or

- (b) where a panel member's duty under the Scheme may compete with a duty of loyalty he or she owes to another organisation or person (such a situation being known as a 'conflict of loyalty').
18. Conflicts of loyalty arise because, although the panel member concerned does not stand to gain any personal benefit, the panel member's decision-making could be influenced by his or her other interests. Some conflicts of loyalty arise because a member has a competing legal obligation or duty to another organisation or person. Others result from conflicting loyalties which a member owes, or feels, towards family, friends or other people or organisations that are part of the member's network. For example, a member's obligations under the Scheme could conflict with his or her loyalty to:
- (a) another organisation, such as his or her employer;
  - (b) another charity of which he or she is a trustee;
  - (c) a member of his or her family or friends;
  - (d) a current or former work colleague;
  - (e) a member of a survivor group; or
  - (f) another connected person or organisation.
19. The existence of a conflict of interest does not reflect on the integrity of the affected panel member, so long as it is properly addressed. The early identification of conflicts of interest and loyalty is therefore key to ensuring that both individual members and the panel collectively do what is expected of them.
20. Each meeting agenda will include an item for declaration of interests and identification of any conflicts or potential conflicts of interest.
21. An oral declaration of a relevant interest must be made at the beginning of each meeting of any panel meeting and any committee or sub-committee if, in the context of the particular item of business under consideration, the interest could, or could reasonably be seen to, prevent the person concerned from taking a decision only in the best interests of the Scheme.
22. A person should err on the side of caution if he or she is in doubt about whether he or she is conflicted and should always declare the interest in question.
23. If a person is aware of an undeclared conflict of interest affecting another member, he or she should notify the Chair of the relevant meeting.
24. Where a conflict of *interest* arises in connection with a personal benefit, the person concerned must withdraw from the meeting and not take part in any discussions relating to it. Where a conflict of *loyalty* arises, the decision-making panel will consider what level of participation, if any, is acceptable on the part of the conflicted person. However, the normal expectation will be that the conflicted person should withdraw from the meeting during discussion of the item of business in question.
25. A person need not withdraw from a meeting if his or her interest (whether financial or non-financial) is common to a class of persons and is neither (i) significant nor (ii) substantially greater than the interests of other members of that class. In other words, the fact that a person is a survivor of abuse does not of itself prevent them from acting on a panel but other factors may do so.
26. Each decision-making panel must keep a written record (usually in the minutes of the relevant meeting) of the nature of any conflict of interest or loyalty declared and how it

was dealt with. Because the records are disclosable to those whose personal data is recorded under Data Protection legislation, they should be written in a way that ensures that personally identifiable information is minimised.

### Decisions

27. Panel members will take their decisions conscientiously. Following a meeting of a panel, its members will take the steps which are required under the Scheme. Applicants to the Scheme should remember, therefore, that they may not receive an immediate response. The flow chart offers an indication of the likely number of days which each step will take but the time required will depend on the circumstances of each particular case.

### Confidentiality

28. Survivors and their advocates should bear in mind that no two decisions will be the same and each decision will be made on the particular circumstances of that case. While the actual decisions of the panel are not intended to be confidential, any reference to individuals must not be disclosed to unauthorised third parties.
29. Where possible, decisions should be written in such a way as to minimise the use of personally identifiable information.

### Conduct

30. We will do our best to make sure that any application is dealt with as promptly as possible and we ask that all those involved in the operation of the Scheme treat others with courtesy and respect.
31. We recognise, however, that sometimes things do go wrong and that we may fall short of expectations. The Scheme makes provision for a survivor to appeal if they think that a decision-making panel's decision is wrong. This scheme will be overseen by the National Safeguarding Team of the Church of England and those involved in its delivery are subject to the external complaints procedure of the national Church. Any complaint should be addressed to the National Director of Safeguarding in the first instance.

28 September 2021