

Status: This version of this provision is prospective.

Changes to legislation: Cathedrals Measure 2021, Section 37 is up to date with all changes known to be in force on or before 30 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



Cathedrals Measure 2021

2021 No. 2

Safeguarding

PROSPECTIVE

37 Suspension

- (1) This section applies where a member of the Chapter of a cathedral—
 - (a) is arrested on suspicion of committing an offence mentioned in Schedule 1 to the Children and Young Persons Act 1933, or
 - (b) is charged with an offence mentioned in that Schedule without being arrested.
- (2) This section also applies where the bishop of a diocese is satisfied, on the basis of information provided by a local authority or the police, that a member of the Chapter of a cathedral presents a significant risk of harm.
- (3) The bishop may suspend the person from the Chapter by giving the person notice in writing; and the notice must specify the bishop's reasons for imposing the suspension.
- (4) The bishop may at any time revoke the suspension by giving the person notice in writing.
- (5) For the purposes of subsection (2), a person presents a significant risk of harm if there is a significant risk that the person may—
 - (a) harm a child or vulnerable adult,
 - (b) cause a child or vulnerable adult to be harmed,
 - (c) put a child or vulnerable adult at risk of harm,
 - (d) attempt to harm a child or vulnerable adult, or
 - (e) incite another person to harm a child or vulnerable adult.
- (6) Before deciding whether to suspend a person under subsection (3), or to revoke a suspension made under that subsection, the bishop must consult—
 - (a) the diocesan safeguarding advisor, and
 - (b) such other persons as the bishop considers appropriate.

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- (7) A suspension in a case within subsection (1) continues (unless revoked under subsection (4)) until the earlier of—
 - (a) the expiry of three months beginning with the day on which the notice is given, and
 - (b) the conclusion of the matter.
- (8) Where a person is suspended in a case within subsection (1) and the matter is not concluded before the expiry of the three-month period referred to in subsection (7)(a), a further notice of suspension may be given under subsection (3); and subsection (7) and this subsection apply to the further suspension as they applied to the earlier suspension or suspensions.
- (9) A suspension in a case within subsection (2) continues (unless revoked under subsection (4)) until the expiry of three months beginning with the day on which the notice is given.
- (10) Where a person is suspended in a case within subsection (2), a further notice of suspension may be given under subsection (3); and subsection (9) and this subsection apply to the further suspension as they applied to the earlier suspension or suspensions.
- (11) Having given a notice of suspension or revocation under this subsection, the bishop must give each of the following written notification—
 - (a) the members of the Chapter,
 - (b) the registrar of the diocese,
 - (c) the diocesan safeguarding advisor,
 - (d) any person appointed by the Chapter to advise it on matters relating to safeguarding children and vulnerable adults, and
 - (e) such other persons as the bishop considers appropriate.
- (12) The registrar must file a notification given under subsection (11)(b) in the diocesan registry.
- (13) For the purposes of this section, a matter is concluded when—
 - (a) a decision is taken not to charge the person with the offence in question, or
 - (b) where the person is charged with the offence, the proceedings for the offence are concluded.

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Changes and effects yet to be applied to :

- s. 37(6)(a) words substituted by [2024 No. 1 s. 11\(5\)\(e\)](#)
- s. 37(11)(c) words substituted by [2024 No. 1 s. 11\(5\)\(e\)](#)