



Cathedrals Measure 2021

2021 No. 2

Safeguarding

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.
- (7) A suspension in a case within subsection (1) continues (unless revoked under subsection (4)) until the earlier of—

Status: This is the original version (as it was originally enacted).

- (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.