

September 2025  
Item 10

### **The “Bishop’s Waiver”**

This note has been prepared by officers to provide background information regarding item 10 on the agenda, a motion on the “Bishop’s Waiver”

1. The wording of the motion is published on the back of the agenda. A similar motion was supported by East Wivelshire Deanery Synod, who asked for it to be debated at Diocesan Synod.

### **In summary**

2. The motion calls for the repeal of provisions in church law that allow bishops to permit the election of people who would otherwise be blocked from serving as a churchwarden, member of PCC or a member of a synod. The rules block those who have committed certain offences or who are on a safeguarding barred list from serving in those roles. The motion proposes removing the power of bishops to waive the block - hence it is often called the “Bishop’s Waiver”.

### **In more detail**

3. The motion relates to provisions in the Church Representation Rules (CRRs) and the Churchwardens Measure 2001 (the Measure).

In the CRRs and the Measure there are rules that a person who is named on a barred list or who has been convicted of certain offences, cannot be chosen as a churchwarden, or as member of a PCC or deanery synod, diocesan synod or General Synod, or as a PCC secretary or treasurer.

4. The “barred lists” are the lists maintained by the Disclosure and Barring Service (DBS) they list people who are barred from engaging in regulated activity. Regulated activity might include giving personal care, providing social work or social care for an adult or child, or teaching children.

By certain offences, both rules mean those mentioned in Schedule 1 of the Children and Young Persons Act 1933, this list includes the murder or manslaughter of a child and a wide range of other offences against children including any offence involving bodily injury to a child or young person, and a handful of offences that might not be against a child or young person including common assault. The Schedule has been updated since 1933.

5. The so called “Bishop’s Waiver” allows the bishop to set aside the provisions described above. Under the rules, the bishop has to consult the diocesan safeguarding officer and give notice to the diocesan registrar, who must keep a copy of the decision in the diocesan registry. The waiver must be given in writing, it is of unlimited duration and it has effect in every diocese.

### **Context**

6. For information, members may wish to note that we have no records of these waivers having been used in this diocese.

### **If you pass this motion**

7. Diocesan Synod cannot change these rules or give instructions to the bishop on the exercise of his duties under church law, nor can diocesan synod instruct members of General Synod, hence the motion “asks” members to raise the matter.

If members of General Synod want to raise the matter the most likely route would be for them to ask a formal “Question under Standing Orders” which happens in a similar way to our own processes, this would see the matter raised in public, but note that General Synod might have hundreds of Questions under Standing Orders.

Members of General Synod can also introduce proposals under their own name which may get debated, they can also propose amendments to other business before Synod which can sometimes offer a route for related business to be conducted.

Members of Diocesan Synod are of course able to take action themselves, for instance they could write to the Church Times or to those responsible for safeguarding in the Church of England.

The lead bishop for safeguarding is Bishop Joanne Grenfell and she can be contacted c/o [joanne.grenfell@churchofengland.org](mailto:joanne.grenfell@churchofengland.org)

The National Safeguarding Team can be contacted via this email address: [safeguardingEO@churchofengland.org](mailto:safeguardingEO@churchofengland.org)

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