

Serious Incident Reporting Policy

Purpose and Scope of Procedure

This policy seeks to create a structure to enable The Bureau to learn from and develop best practice following serious incidents. It is intended to facilitate the identification of serious incidents or potential serious incidents by staff and volunteers and to support the effective reporting of such matters to Trustees. It sets out steps to be taken to identify, investigate, manage, respond to and learn from serious incidents.

This policy does not replace The Bureau's Safeguarding Policy, Health & Safety Policy or Whistle-blowing Policy but does provide a framework to identify and report serious incidents when necessary.

This policy will ensure that The Bureau's trustees comply with their obligations under the Charities Act 2011 and under the best practice guidance for serious incident reporting issued from time to time by the Charity Commission ("the Commission").

This procedure applies to all staff and volunteers.

Introduction and Context

It is a Charity Commission requirement that trustees report all serious incidents to the Commission, so that the Commission can ensure that such incidents are being dealt with appropriately. As part of such reporting, the Commission will need to receive information not just about the incident itself but also about The Bureau's response to the incident.

A **serious incident** is an adverse event, whether actual or alleged, which results in or risks **significant**:

- harm to The Bureau's staff, volunteers or others who come into contact with it through its work (who are collectively referred to throughout this guidance as people who come into contact with The Bureau through its work)
- loss of Bureau money or assets
- damage to Bureau property
- harm to The Bureau's work or reputation

Significant means significant in the context of The Bureau, taking account of its staff, operations, finances and/or reputation.

Reporting serious incidents demonstrates to the Charity Commission that the processes within The Bureau work effectively in identifying and responding to risks. Where it is done effectively, reporting should limit the likelihood that the Commission will take formal regulatory or enforcement action against the organisation in respect of the incident.

This policy sets out the process for the Management team to support and facilitate Trustees to ensure they comply with their reporting obligations in relation to serious incidents and their wider obligations to take appropriate action in response to such incidents.

Principles

The Bureau will respond to serious incidents in a timely, comprehensive, and systematic manner in order to reassure concerned parties and improve future service.

The Bureau will adopt the appropriate internal procedure in its response e.g. Safeguarding, Complaints, Disciplinary etc.

The Bureau will inform the relevant authorities and Charity Commission as soon as practicable when any serious incident occurs.

What is a Serious Incident?

This section tells you what types of incident the Commission expects you to report and outlines the different authorities or agencies that may be involved. When making your report, you should follow the advice below.

You should report an incident if it results in, or risks, significant:

- harm to people who come into contact with The Bureau through its work
- loss of Bureau money or assets
- damage to Bureau property
- harm to The Bureau's work or reputation

The **main categories of reportable incident** are:

- protecting people and safeguarding incidents – incidents that have resulted in or risk significant harm to people who come into contact with The Bureau through its work
- financial crimes – fraud, theft, cyber-crime, and money laundering
- large donations from an unknown or unverifiable source, or suspicious financial activity using Bureau funds
- other significant financial loss
- links to terrorism or extremism, including 'proscribed' (or banned) organisations, individuals subject to an asset freeze, or kidnapping of staff

- other significant incidents, such as – insolvency, forced withdrawal of banking services without an alternative, significant data breaches/losses or incidents involving partners organisations that materially affect The Bureau

Fraud is a form of dishonesty, involving either false representation, failing to disclose information or abuse of position, undertaken to make a gain or cause loss to another.

Theft is dishonestly appropriating property belonging to another with the intention of permanently depriving the other of it.

Further information regarding what to report, with examples of types of incidents and good practice can be found on the UK Government Website at: <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>

In relation to incidents involving financial loss, as a general guide, the higher the value of the loss, the more serious the incident will be and the more likely it will be that a duty to report will arise. Any loss of £25,000 or more should automatically be reported. However, this is only one indicator of seriousness. Lower value losses (particularly multiple losses) may also be indicators of serious risk to The Bureau, e.g. from inadequate processes or financial controls.

The following types of incidents should always be reported, and The Bureau's Safeguarding Policy and Procedure should be invoked:

- an incident where a client has been or is being abused or mistreated while under the care of The Bureau or by someone connected with The Bureau such as a Trustee, member of staff or volunteer
- an incident where someone has been abused or mistreated and this relates to the activities of The Bureau
- allegations have been made that such an incident may have happened, regardless of when the alleged abuse or mistreatment took place; or there are grounds to suspect that such an incident may have occurred.

If it is unclear as to whether a serious incident has occurred, please refer to the Chief Officer or the UK Government Website link above for guidance.

Reporting Serious Incidents

If an individual becomes aware of an incident, this must be reported to their Line Manager and the Chief Officer. Together they must determine whether this constitutes a **serious incident** and needs to be reported to the Charity Commission.

If the incident is not deemed to constitute a serious incident or is a 'near miss', details will be reported to the Chair of the Board, so Trustees are aware of such situations.

If it is determined that the event does constitute a **serious** incident, the Chief Officer will then notify the Trustees. The Chief Officer and anyone appointed by them will investigate and gather all necessary information required to report the incident to the Charity Commission.

The Chief Officer will liaise with Trustees and a decision will be made as to who reports the **serious incident**. In most cases, it will be reported by the Chief Officer, acting on behalf of the Trustees. The incident should be reported using the attached template and sent via email to RSI@charitycommission.gov.uk

The Chief Officer will act as the point of contact with the Charity Commission and will coordinate any further requests for information as part of their on-going investigation.

Learning from Serious Incidents

It is vital that once the Charity Commission has concluded its investigation, its findings are fully implemented and an evaluation report is produced, so The Bureau can demonstrate that it has learned from the incident and can reassure Trustees (and the Charity Commission) that it has mitigated the impact of the incident and taken steps to prevent similar incidents from occurring in the future.

The Management Team will agree a timetable and produce an implementation plan and present the evaluation report to Trustees.

Resources

Appendix A provides a template report for reporting **serious incidents** to the Charity Commission. This details all the information that is required at the reporting stage, though the Charity Commission may request further information during the investigation.

The above UK Government website link provides extensive information and support regarding **serious incidents** and should be used as a resource.

Appendix A: Serious Incident Reporting Template for Trustees

This information is required by the Charity Commission when reporting to RSI@charitycommission.gsi.gov.uk. This can be completed by the trustee or in conjunction with the Chief Executive Officer.

Action	Comment
Name and role of person reporting	
Date of report	
Has the incident happened or has there been serious allegations or suspicions that it has happened?	
When did the incident happen, who was involved, include their position in the Charity Is this person still involved with the Charity?	
What is the effect of the incident on the Charity or its beneficiaries or both; What is the financial loss to the Charity (if appropriate)?	
What action, if any, has been taken since the incident?	
Has there been any publicity about the incident?	
Has the Charity conducted its own inquiry or investigation into the incident and what was the outcome;	
If the police, another regulator or law enforcement or government agency is involved, please specify the name of the agency and what action it has taken, if anywhere relevant, provide the reference number	
Confirmation that the Trustees have reported the incident to their local Safeguarding Board if it involves abuse or welfare concerns about vulnerable beneficiaries	
Has the Charity any policies or procedures that apply to the incident in question, confirming they were followed, and if not why (consider explaining the procedures and/or sending a copy of the relevant policy)	
Whether as a result the Trustees have determined that current policies or procedures need to be revised, or new ones put in place if they do not already exist.	