Bart's City Life Saver

SERIOUS INCIDENT REPORTING POLICY

The purpose of this policy is to ensure that anyone who is undertaking work for or engaging with Bart's City Life Saver, in the capacity of Trustee or staff (trainer, trainee trainer, volunteer, employee or contractor), is able to identify serious incidents, escalate them as appropriate and report them internally so that the Trustees can exercise oversight and consider whether to make a serious incident report to the Charity Commission for England and Wales (the "Commission") among other potential actions.

1. Scope

1.1 This policy sets out how Bart's City Life Saver seeks to ensure compliance with the Serious Incident Reporting ("SIR") requirements of the Commission, which are set out in the SIR guidance available on its website. The current guidance 'How to report a serious incident in your charity' is accessible here: https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity

1.2 Failure to adhere appropriately to the policy will be treated seriously and may result in disciplinary action for gross misconduct or termination of your engagement with Bart's City Life Saver.

1.3 The Trustees may delegate the reporting of serious incidents to someone else within the organisation. However, the Trustees bear ultimate responsibility for ensuring that Bart's City Life Saver makes a report and that it does so in a timely manner.

2. What is a serious incident?

2.1 The Commission defines a serious incident as an adverse event, whether actual or alleged, which results in or risks significant:

- harm to a charity's beneficiaries, staff, volunteers or others who come into contact with the charity through its work
- loss of a charity's money or assets
- damage to a charity's property
- harm to a charity's work or reputation.

2.2 "Significant" means significant in the context of the charity, taking account of its staff, operations, finances and/or reputation.

2.3 The SIR Guidance identifies the following main categories of reportable incidents:

- Protecting people and safeguarding incidents – incidents that have resulted in or risk significant harm to beneficiaries and other people who come into contact with a charity 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 the charity's 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:
  - disqualification of a trustee or senior manager
  - mass resignation of trustees or staff leaving the charity unable to operate
  - the charity's Trustees or staff are the subject of criminal proceedings in connection with the charity or their role in it
  - insolvency
  - forced withdrawal of banking services without an alternative
  - significant data breaches/losses
  - incidents involving partners that materially affect the charity

2.4 It is the responsibility of the trustees to decide whether an incident is significant and should be reported. To help, the SIR guidance https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity contains more information about each of the categories listed in 3.3 above and an Examples table which indicates the types of incidents that should and shouldn't be reported. This examples listed in this policy and in the SIR guidance are not exhaustive.

2.5 The Commission recommends that any incident or matter that could get into the public domain or be reported in the media is reported to it as soon as possible (even if initially on an interim basis) so that the Commission can prepare its own public response and be in a position to say that it is already liaising with the charity in relation to it.

3. The duty to report a serious incident

3.1 Although there is no statutory requirement under charity law for charities to report serious incidents as they occur, registered charities with an income over £25,000 per year must confirm in their annual return that there were no serious incidents during the previous financial year that should have been reported to the Commission but were not. The Commission also considers that, as a matter of good practice, all charities regardless of size or income should report serious incidents to the Commission promptly.

3.2 Bart's City Life Saver takes serious incidents very seriously and considers that reporting serious incidents to the Commission and other relevant authorities comprises an important part of the effective and appropriate response to any such serious incident.

3.3 By adopting such a policy, Bart's City Life Saver demonstrates to the Commission that it has the appropriate processes in place to manage risk and take the correct action. Where a report is made, it can also reduce the likelihood that the Commission will take any formal regulatory or enforcement action where applicable.

3.4 The potential for reputational damage can also be reduced if Bart's City Life Saver can show that any serious incident has been handled appropriately.

4. Reporting a serious incident internally

4.1 Staff should not seek to make a serious incident report to the Commission themselves. Instead they should report their concerns to the Chair of the Trustees so that appropriate action can be taken.

4.2 All incidents should be reported in writing. If verbally reported, details of the incident should be confirmed in writing immediately after notification.

4.3 Upon receiving a report of an incident, the Chair of the Trustees will promptly (on the same day) report the incident to the full board of Trustees.

4.4 The Trustees will liaise with the relevant staff member(s) to gather information. They will consider the facts available and decide whether a serious incident report is required.

4.5 When considering whether to report an incident, regardless of the outcome, the Trustees will ensure that full detailed records are kept to show how the decision was reached.

4.6 Where an incident relates to a Trustee, the incident should be reported to another member of the board of Trustees and the remainder of the board will consider whether a serious incident report is required.

5. Reporting a serious incident to the Commission

5.1 If the Trustees decide that a serious incident has taken place, they will ensure that there is prompt, full and frank disclosure to the Commission.

5.2 The responsibility for reporting a serious incident rests with the Trustees, however they may delegate the reporting process.

5.3 The incident will be reported via the Commission's online form https://register-of-charities.charitycommission.gov.uk/report-a-serious-incident. The report must include:

- Contact details:
  - Bart's City Life Saver's details, including its registration number
  - Contact details of the person who is reporting
  - Details of any other regulators or organisations the incident has been reported to (e.g. the police) and any applicable reference numbers
- Details of the incident:
  - The date of the incident
  - What happened
  - When and how Bart's City Life Saver found out about the incident
  - What impact, if any, the incident has had on Bart's City Life Saver's clients, staff, finances, operations or reputation
  - Whether trustees are aware of the incident
- Details of how Bart's City Life Saver is handling the incident:
  - Which of Bart's City Life Saver's policies or procedures relate to the incident and whether they were followed
  - What steps Bart's City Life Saver has taken to deal with the incident and to prevent similar incidents
  - If applicable, Bart's City Life Saver's media handling plan, including a link to a press release if available

It is not necessary to provide the names or any other personal details of any individuals involved in the incident in the initial report.

5.4 The Commission will confirm receipt of the report and provide an incident reference number.

5.5 The Commission will review the information provided and contact the charity if they require additional information or data. The Commission will decide if they need to take any action.

6. Other actions to take

6.1 In the event of a serious incident, Bart's City Life Saver will take immediate action to:

- prevent or minimise any further harm, loss or damage
- report it to the police (and/or other relevant agencies) if it is suspected a crime has been committed, and to any other regulators the charity is accountable to
- plan what to say to its staff, clients, the public and the media
- review what happened and identify and take steps to prevent it from happening again - this may include reviewing and strengthening internal controls and procedures, internal or external investigation, and/or seeking appropriate help from professional advisers.

6.2 If it is decided that an incident is not serious enough to report, Bart's City Life Saver will nonetheless ensure that appropriate steps are taken to ensure such as incident does not reoccur.