

Reporting

Serious

Incidents to the

Charity

Commission:

POLICY

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RELATED DOCUMENTS

Global safeguarding policy.....
Global safety and security policy
Employee handbook

RESOURCES

- Guidance for charity trustees about serious incidents: how to spot them and how to report

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1. INTRODUCTION

1.1 PURPOSE

This document is designed to set out Restless Development's organisational commitment to reporting serious incidents to the Charity Commission in line with the 2017 and 2019 guidance set out for charity trustees about reporting serious incidents.

1.2 STATEMENT OF GENERAL POLICY

- The safety and security of our People is a key responsibility of our organisation. We accept a duty of care for all our People. We are committed to a clear, relevant and proportional Restless Development safety and security policy, protocols and plans.
- It is our aim to prevent and mitigate against all types of incident, as well as to provide adequate control of risks arising from our organisational and programmatic activities.

1.3 MANAGEMENT ORGANISATION AND ARRANGEMENTS

This policy has been prepared and published according to the 2017 Charity Commission guidance set out for charity trustees about reporting serious incidents to the Charity Commission. Updates have been made in accordance with additional bespoke guidance for Restless Development made in 2019.

1.4 ACCOUNTABILITY

Restless Development's trustees take ultimate responsibility for the reporting all serious incidents to the Charity Commission. It is however recognised that despite varying levels of accountability, all employees have a role to play in the effective management of incidents and reporting.

1.5 COMPLIANCE

Compliance with this policy is not optional; it is compulsory for all employees and concurrent with the start of any kind of relationship with Restless Development. Actions of employees found to be in-breach of the policy will be subject to disciplinary procedures and potential legal action.

2. PRINCIPLES

Restless Development commits itself to the following principles in its approach to the management of reporting serious incidents to the Charity Commission.

2.1 STRONG AND ACTIVE LEADERSHIP

- Visible, active commitment from the board;
- Establishing effective 'downward' communication systems and management structures;
- Integration of good safety and security and incident management practices with business decisions.

2.2 STAFF INVOLVEMENT

- Engaging the workforce in the promotion and achievement of safe and healthy conditions;
- Effective 'upward' communication;
- Providing high quality training.

2.3 ASSESSMENT AND REVIEW

- Identifying and managing safety and security risks;
- Accessing (and following) competent advice;
- Monitoring, reporting and reviewing performance.

3. MANAGEMENT RESPONSIBILITIES

3.1 CHIEF EXECUTIVE OFFICER

The Chief Executive has overall responsibility for the implementation of the Company's policy. In particular he is responsible for ensuring that the policy is widely communicated and that its effectiveness is monitored.

3.2 DIRECTORS AND HEADS

These managers are wholly accountable to the Chief Executive for the implementation and monitoring of the policy within the area of their specified responsibility.

4.3 ALL STAFF

All staff are responsible for ensuring safety, security and safeguarding policies are upheld and adhered to and that all incidents are reported to the relevant staff as appropriate through established and communicated processes.

4. REPORTING RESPONSIBILITIES

4.1 OPERATIONS DIRECTOR

The Operations Director is responsible for reporting any serious programmatic and/or safeguarding incidents to the Charity Commission with the approval and oversight of the Chair of Trustees and The Chair of the Programmes Committee and People Committee (as appropriate).

4.2 FINANCE DIRECTOR

The Finance Director is responsible for reporting all instances of alleged or actual financial incidents to the Charity Commission with the approval and oversight of the Chair of Trustees and The Chair of the Finance and Audit Committee.

5. REPORTING REQUIREMENTS

5.1 WHEN TO REPORT – WHAT WE COMMIT TO REPORTING

Restless Development commits to reporting an actual or suspected serious incidents in two different ways, individually or in bulk once per quarter. For any critical or crisis incident, we will report individually as soon as is reasonably possible after the incident occurs, or immediately after Restless Development becomes aware of it. All other incidents will be reported in bulk once per quarter.

Thresholds – For all reporting

How many people are involved?

How many people are implicated?

Has the harm caused significant trauma?

Has the harm stopped the individual/individuals from carrying out the day to day functions?

Has the harm resulted in a pause or discontinuation of a programme?

Are police involved?

Restless Development commits to reporting if any of the following things occur according to the below guidance provided to the Charity Commission:

- Beneficiaries of the charity (adults or children) have been, or alleged to have been, abused or mistreated while under the care of the charity, or by someone connected with the charity, for example a trustee, staff member or volunteer
- There has been an incident where someone has been abused or mistreated (alleged or actual) and this is connected with the activities of the charity
- There has been a breach of procedures or policies at the charity which has put beneficiaries at risk, including failure to carry out checks which would have identified that a person is disqualified in law, under safeguarding legislation, from working with children or adults
- There has been a loss of the charity's money or assets, damage to the charity's property or harm to the charity's work or reputation.

5.2 WHAT TO REPORT – DEFINITIONS OF SERIOUS INCIDENTS

Based on the above guidance provided by the Charity Commission, Restless Development will **individually** report all incidents classified as safeguarding critical or crisis incidents where:

- A beneficiary or volunteer has suffered serious harm or death whilst in the care of Restless Development

Restless Development will **bulk** report all incidents as defined below:

- A beneficiary or volunteer has suffered alleged or proven physical assault, abuse or neglect caused by a staff member
- A beneficiary or community member has suffered alleged or proven physical assault, abuse or neglect caused by a volunteer
- Any incident where the conclusion is that harm has been caused to an individual as a result of a breach in Restless Development's safeguarding policies (refer to Restless Development's Global Safeguarding policy)
- All instances of alleged or proven fraud (refer to Restless Development Finance policy).

5.3 HOW TO REPORT – WHAT DETAILS TO INCLUDE

Individual Reporting

Restless Development commits to reporting all information including the following when **individually** reporting serious incidents to the Charity Commission:

- A full timeline including the date the incident took place, the date it was reported to Restless Development and all actions taken in response up until the incident is closed.
- Who is reporting on behalf of Restless Development and their role / connection to Restless Development
- The authority they have to report on behalf of the Restless Development's trustees
- The role/ connection of any alleged perpetrators/survivors to Restless Development
- Who in the trustee body is aware of the incident
- What happened and when Restless Development first became aware of it
- Action being taken to deal with the incident and prevent future problems
- Whether and when it was reported to the police or another regulator/ statutory agency (including official reference numbers)
- Any media handling lines that Restless Development has prepared.

Bulk Reporting

Restless Development commits to reporting all information including the following when **bulk** reporting incidents to the Charity Commission:

- A timeline including the date the incident took place, the date it was reported to Restless Development and all actions taken in response up until the incident is closed.

- Who is reporting on behalf of Restless Development and their role / connection to the Restless Development,
- The role/ connection of any alleged perpetrators/survivors to Restless Development
- The authority they have to report on behalf of the Restless Development's trustees
- Who in the trustee body is aware of the incident
- What happened and when Restless Development first became aware of it
- Action being taken to deal with the incident and prevent future problems
- Whether and when it was reported to the police or another regulator/ statutory agency (including official reference numbers)
- Any media handling lines that Restless Development has prepared.

A specific reporting template has been designed for all bulk reporting and can be found [here](#).

5.4 BEYOND REPORTING

In addition to reporting serious incidents to the Charity Commission in line with this Policy, Restless Development also commits to:

- Taking immediate action to prevent further harm, loss or damage
- Notifying the police where appropriate if Restless Development suspects a crime has been committed
- Conducting a full internal review and sharing learnings to ensure such an incident does not happen again.

6. Confidentiality

Restless Development is committed to maintaining the confidentiality of personal information that it handles. Any information given or received in confidence for one purpose will not be used for another purpose, or passed to a third party, without the express consent of the individual except in special circumstances e.g. to prevent further harm to an individual.

Restless Development will aim to ensure that personal information is obtained, used and disclosed in accordance with the common law duty of Confidentiality, the Data Protection Act 1998 and the General Data Protection Regulation (GDPR) 2018.