Saltford Community Association

SERIOUS INCIDENT REPORTING POLICY

Why this policy exists
Saltford Community Association (SCA) is a registered charity, and its activities fall under the regulation of the charity regulator, the Charity Commission ("the Commission"). This policy covers serious incident reporting to the Commission as it relates to the SCA. This policy provides the SCA with an effective and easy to follow process that closely follows the Commission's guidance.

Scope
This policy covers all activities of the charity and its operations. It does not cover or replace the charity's obligations to report incidents to statutory authorities such as the police, health and safety executive or licensing authority that the SCA may need to do from time to time in the ordinary operation of its business. However, incidents that are reported to the statutory authorities can become relevant to this policy, if, for example, the charity is subjected to an investigation by a statutory authority or if it deems itself to be at fault and there is potential reputational damage to the charity as a result.

Background
The Commission states that it is vital that charities report serious incidents to the regulator to help it better understand risks facing the sector and take appropriate action. Whilst understanding that serious incidents will happen, it is the Commission's role to ensure that trustees comply with their legal duties and that the charity manages the incident responsibly. The Commission will be looking for assurance that the charity has taken steps to limit the immediate impact of any serious incidents that may occur and, where possible, prevent it from happening again. The Commission acknowledges that many problems can be resolved by trustees themselves. However, sometimes it needs to use its powers to protect a charity. Reporting also means the Commission can identify whether other charities might be affected and can give better advice to all charities to help them protect themselves.

What is a serious incident?
The Commission defines significant as 'significant in the context of your charity, taking account of its staff, operations, finances and / or reputation'; and defines a serious incident as an adverse event, whether actual or alleged, which results in or risks significant:
• Harm to the SCA's staff, volunteers, visitors and contractors;
• Loss of the SCA's money or assets;
• Damage to the SCA's property;
• Harm to the SCA's work or reputation

The main categories of reportable incidents set out by the Commission are:
• Protecting people and safeguarding incidents – incidents that have resulted in or risk significant harm to the people who come into contact with the 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 – insolvency, forced withdrawal of banking services without an alternative, significant data breaches / losses or incidents involving partners that materially affect the charity.

Policy
It is the charity's policy to report all 'serious incidents' to the Commission within 48 hours of the chair's decision. If the matter has been referred more widely to some or all the charity's trustees then the policy is that the decision of those trustees to report a serious incident, providing an appropriate level of information and to respond to any resulting requests for information be undertaken within five working days.

What we will report
The Commission makes it clear that it is the responsibility of the trustees to decide whether an incident is significant and should be reported. The nature of the Hall's assets and activities mean that it does not deal with incidents on a frequent basis as part of its operations it is expected that help will be required in regard to this. To help, the Commission provides guidance in an **Examples Table** as to what should and should not be reported.

Who is responsible for reporting?
The responsibility for reporting serious incidents rests with the Hall trustees. All trustees bear ultimate responsibility for ensuring our charity makes a report and does so in a timely manner. All incidents, whether deemed 'serious' or not should be reported to the Chair of the Trustees immediately, either in writing or confirmed in writing immediately after notification.
The Trustees will be consulted within 48 hours as to whether the incident constitutes a serious incident and requires reporting to the Charity Commission. The report will then be made to the Commission within 48 hours of the decision to report a serious incident.
All discussions and decisions taken will be formally recorded and then minuted at the next available trustee meeting along with any outcomes and further action taken.

Actions we will take in response to a serious incident.
This must be reported to the trustees immediately who will:
• As soon as reasonably practicable prevent or minimise any further harm, loss or damage.
• Report it to the Commission as a serious incident.
• Report it to the police (and / or other relevant agencies) if we suspect a crime has been committed, and to any other regulators the charity is accountable to.
• Put in place a communication plan for staff, volunteers, the public, media, and other stakeholders.
• Review what happened and prevent it from happening again – this may include reviewing internal controls and procedures, internal or external investigation and / or seeking appropriate help from professional advisers.

How we will report
The trustees delegate formal responsibility for reporting those incidents deemed to be serious incidents to the Chair of the Trustees who will report them to the Charity Commission using its online reporting form. If the information provided is particularly sensitive or confidential or if a particular exemption applies, we will inform the Commission and explain our reasoning.
The charity is required, as part of its annual return to the Commission, to sign a declaration confirming there were no serious incidents during the financial year that should have been reported to the Commission. If incidents did occur, but were not reported at the time, we will submit these before we file our charity's annual return, so that we can make the declaration and meet our legal reporting requirements.

Approved by the Trustees: February 2025 Annual Review due: February 2026