Policy document	
Title	**THE WIMBLEDON SOCIETY ('the Charity')** **SERIOUS INCIDENT REPORTING (SIR) POLICY**
Approved by	Board of the Charity
Date approved	Apr 24
Review date	

SERIOUS INCIDENT REPORTING (SIR) POLICY

Why this policy exists

This policy covers serious incident reporting to the charity regulator, the Charity Commission ("the Commission"), as it relates to the Charity. This policy provides the Charity 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 Charity 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, that is become in scope, for example if 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, whether they work domestically or around the world, report serious incidents to the regulator. The Commission also states that data on serious incident reporting allows it to better understand risks facing the sector and take appropriate action.

However, the Commission recognises the challenging nature of the work undertaken and the difficult context faced by many charities. It understands that serious incidents will happen, but 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 people who come into contact with our charity through our work.
- Loss of our charity’s money or assets.
- Damage to our charity’s property.
- Harm to our charity’s work or reputation.

An act of discrimination against any person with a protected characteristic listed in the Equality Act 2010 will also be treated as a serious incident.

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 beneficiaries and other 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, or if the matter has been referred more widely to some or all the Charity's trustees 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 within five working days.

What we will report

The nature of the Charity's assets and activities mean that it deals with incidents on an infrequent basis as part of its operations.

The incidents that we will report and the incidents that it is not necessary to report are detailed in this Charity Commission guidance
https://assets.publishing.service.gov.uk/media/5bd706d9ed915d789dcd63ef/RSI_guidance_what_to_do_if_something_goes_wrong_Examples_table_deciding_what_to_report.pdf

It indicates the type of incidents categorised as 'serious' and reportable and will act as a guide as to what should and should not be reported.

Who is responsible for reporting?

The responsibility for reporting serious incidents rests with the Charity's trustees. All trustees bear ultimate responsibility for ensuring their charity makes a report and does so in a timely manner.

All incidents, whether deemed 'serious' or not should be reported both to the Chair of the Charity's Risk Management Committee ('RMC Chair') and to the Chair of the Charity immediately, either in writing or if verbally reported, confirmed in writing immediately after notification.

The Board of trustees (or sub-committee of 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 Board meeting along with any outcomes and further action taken.

Actions we will take in response to a serious incident

If there is a serious incident the trustees 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 and other agencies such as the local authority designated officer (LADO) for safeguarding.

- Put in place a communication plan for staff, volunteers, the public, the media and other stakeholders, such as founders.

- 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

To report a serious incident or update an incident already reported to the Charity Commission, please visit the Government website here https://register-ofcharities.charitycommission.gov.uk/report-a-serious-incident and register the report using their online form.

To use this form, you'll need to provide the following contact details, including:

• your own contact details the charity name and, if it is registered, the registration number

• reference numbers and contact details, if you've reported it to other organisations, like the police

• names and registration numbers of other charities involved in the incident, if relevant

You will also need incident details, including:

• date of the incident

• what happened

• date the charity found out about the incident

• how the charity found out about the incident

• whether trustees are aware of the incident

• what impact the incident has had on the charity's beneficiaries, finances, staff, operations or reputation

You'll also need details of how your charity is handling the incident, including:

• which of the charity's policies or procedures relate to the incident, and whether they were followed

• what steps the charity has taken to deal with the incident

• what steps the charity has taken to prevent similar incidents

• if applicable, the charity's media handling or press lines, including a link to a press release if available

What happens after trustees submit a SIR?

After submitting a SIR you will receive an acknowledgement email from the Charity Commission. This will simply confirm that your information has been received. Each case is reviewed by the Charity Commission, and they will respond directly if they require more information, have advice to provide or wish to play a more active role in the resolution of the issue. If they are confident that you are managing the situation then they will inform you that no further action will be taken.

However, you should continue to keep them up to date with any changes to the case. Once submitted online the form is available to download and save / print so it can be kept as a record.

The Charity is required as part of its annual return, 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.