

# Ashby u3a

## Serious Incident Reporting Policy

### Introduction

The purpose of this policy is to ensure that all members of Ashby u3a are able to identify serious incidents and report them as necessary to enable the Committee to consider its obligations to the Charity Commission for England and Wales (the 'Commission') and any other action that might need to be taken.

### Why report a serious incident

The Commission, in their guidance documentation, state that as a matter of good practice, all charities regardless of size or income should report serious incidents to the Commission promptly.

The Committee believes that reporting serious incidents to the Commission and other relevant authorities (when required to do so) comprises an important part of its supervisory role

### What is a serious incident?

The Commission defines a serious incident in its guidance 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; and/or
- harm to a charity's work or reputation.

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

### Who should report

The responsibility for reporting serious incidents rests with the charity's trustees (in our case all the committee members) and u3a members should not seek to make a serious incident report to the Commission themselves. Instead they should report their concerns to any committee member so that appropriate action can be taken.

If the Committee receive a the report, then they will discuss the matter promptly with a view to determining any next steps to be taken and to considering whether a serious incident report to the Commission is required.

If it is considered appropriate to make a serious incident report to the Commission then it should be made by emailing [RSI@charitycommission.gsi.gov.uk](mailto:RSI@charitycommission.gsi.gov.uk) or such other address or method of reporting as the Commission may from time to time require.

The Committee will review what happened and identify and take steps necessary to prevent it from happening again. This may include seeking help from professional advisers. The Committee will consider to whether to inform or make reports to other relevant bodies such as the police or National Crime Agency or Information Commissioner's Office (this is not an exhaustive list)

## What happens next?

The Commission will typically acknowledge receipt of the report. It is understood that it will assess the risk and look at how the u3a is dealing with the incident, and may take steps to verify the details, or seek more information about the incident;

In very serious cases the Commission may take steps to exercise its enforcement powers, for example, issuing a warning or opening a statutory inquiry into the conduct of the u3a though it is rare that it would do so without some form of preliminary communication or dialogue.

## Data protection and confidentiality

When trustees report serious incidents, some of the information provided may be of a sensitive nature. The Commission is obliged to handle this responsibly, with care and only for the purposes of carrying out its statutory functions.

As a public authority and a 'controller', the Commission is subject to the Freedom of Information Act 2000, the Data Protection Act 2018, and the General Data Protection Regulations and any other law and related guidance as may subsequently be in force.

The Commission's guidance states that the Commission does not routinely guarantee that information provided will be kept confidential, because information sharing is often necessary in order for the Commission to further its statutory functions and objectives and in some cases it is required by law to share information (e.g. to other relevant public authorities).

This policy was implemented on	13 February 2024
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Next review date	February 2027
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