

Serious Incident Reporting Policy

Introduction and Purpose

InterAct is committed to maintaining effective governance and recognises that prompt reporting and appropriate management of serious incidents is an important part of effective governance and safeguarding practice.

InterAct recognises that serious incidents can:

- affect the safety and wellbeing of children, young people, families, staff, volunteers, and others;
- expose the charity to financial, legal, safeguarding, operational, or reputational risk;
- affect public trust and confidence; and
- require reporting to regulators, statutory agencies, funders, insurers, or other bodies.

The purpose of this policy is to:

- ensure serious incidents are identified, managed, recorded, escalated, and reported appropriately;
- support compliance with Charity Commission expectations and other legal or regulatory obligations;
- ensure appropriate oversight by trustees and senior management;
- support safeguarding and public protection responsibilities;
- minimise harm and organisational risk; and
- support transparency, accountability, and learning.

Scope

This policy applies to:

- trustees;
- the Chief Executive Officer (CEO);
- the Senior Management Team (SMT);
- employees;
- volunteers;
- sessional workers;
- contractors; and
- any individual acting on behalf of InterAct.

Definitions

A **serious incident** is an adverse event, whether actual or alleged, which results in or risks:

- significant harm to beneficiaries, staff, volunteers, or others;
- abuse, exploitation, or neglect;
- significant financial loss;
- fraud or theft;
- serious reputational damage;
- significant operational disruption;
- loss of charitable assets;
- criminal activity;
- serious governance failures; or
- significant legal or regulatory concerns.

A **near miss** is an incident that did not result in serious harm but had the potential to do so.

Legal and Regulatory Requirements

This policy has been developed with reference to:

- Charities Act 2011;
- Charity Commission guidance, including Serious Incident Reporting guidance;
- Health and Safety at Work etc. Act 1974;
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR);
- Data Protection Act 2018 and UK GDPR;
- Children Act 1989 and 2004;
- Care Act 2014;
- Working Together to Safeguard Children;
- safeguarding duties and local safeguarding partnership procedures;
- Fundraising Regulator requirements where applicable;
- applicable funding agreements and contractual obligations; and
- other relevant legal and regulatory obligations applying to InterAct.

InterAct recognises that serious incidents may require reporting to multiple agencies or regulators depending on the nature of the incident.

Roles and Responsibilities

Board of Trustees

The Board of Trustees is responsible for:

- ensuring appropriate serious incident reporting arrangements are in place;
- maintaining oversight of serious incidents and organisational risk;
- ensuring significant incidents are managed appropriately;
- ensuring regulatory reporting obligations are met;
- supporting learning and improvement following incidents; and
- ensuring serious incidents are considered within governance, safeguarding, and risk management arrangements.

Chair of Trustees

The Chair of Trustees is responsible for:

- supporting trustee oversight of serious incidents;
- supporting decision-making relating to regulatory reporting where appropriate;
- supporting communication with regulators and external bodies where necessary; and
- ensuring conflicts of interest relating to incidents are managed appropriately.

Chief Executive Officer (CEO)

The CEO has overall operational responsibility for:

- ensuring incidents are escalated promptly;
- ensuring appropriate investigations or reviews take place;
- ensuring required reporting to regulators, statutory bodies, insurers, commissioners, or funders takes place;
- informing the Board of Trustees of significant incidents;
- maintaining appropriate records relating to serious incidents; and
- supporting organisational learning and improvement.

The CEO will normally be responsible for submitting serious incident reports to the Charity Commission.

Where the incident involves the CEO, or where appropriate in the circumstances, the Chair of Trustees may assume responsibility for reporting and oversight.

Staff and Volunteers

All staff and volunteers are responsible for:

- reporting serious incidents, concerns, or near misses promptly;
- cooperating with investigations or reviews;
- maintaining confidentiality where appropriate; and
- complying with safeguarding, health and safety, data protection, and reporting procedures.

Policy

Internal Reporting

Concerns or incidents must be reported internally as soon as they are identified.

Reports of serious incidents should be made directly to the CEO (or the Chair of Trustees if the CEO has not taken appropriate action, may be implicated in any wrongdoing or is covering up wrongdoing).

The CEO or the Chair of Trustees will assess the incident and determine the next steps.

All serious incidents will be reported to the Board of Trustees.

External Reporting

Depending on the nature of the incident, reports may be made to:

- The Charity Commission*.
- The Health and Safety Executive (where RIDDOR reports are required).
- Local Authority Safeguarding Teams or Local Authority Designated Officers (where a safeguarding concern is raised and abuse, neglect or exploitation are suspected).
- The Police (where a crime has been committed, e.g., a financial crime or destruction of property).
- The Information Commissioner's Office (where a data breach has occurred).
- The Fundraising Regulator (where fundraising activities, complaints, misconduct, or breaches of the Code of Fundraising Practice are involved).
- The Charity's Insurers (where an incident may give rise to a claim, financial loss, liability, injury, property damage, or other insured event).
- Other relevant regulators or professional bodies.

* "A serious incident is an adverse event, whether actual or alleged, which results in or risks significant:

- harm to your charity's beneficiaries, staff, volunteers or others who come into contact with your charity through its work (who are collectively referred to throughout this guidance as people who come into contact with your charity through its work)
- loss of your charity's money or assets
- damage to your charity's property
- harm to your charity's work or reputation

For the purposes of this guidance, "significant" means significant in the context of your charity, taking account of its staff, operations, finances and/or reputation."

Serious incidents must be reported promptly (as soon as reasonably possible).

For further information on reporting serious incidents to the Charity Commission, visit <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>.

The CEO may make the external report. However, it is ultimately the responsibility of the trustees.

Learning and Improvement

InterAct will seek to learn from serious incidents and near misses in order to:

- improve safeguarding, health, safety and wellbeing;
- strengthen governance and financial controls;
- improve operational practice;
- reduce future risk; and
- support continuous improvement.

Learning outcomes may result in:

- policy reviews;
- procedural changes;
- additional training;
- increased oversight;
- disciplinary action;
- risk assessment updates; or
- service improvements.

Recording

- The Charity will maintain a Serious Incident Register or equivalent records, which may include:
- the date and nature of the incident;
- when and how the incident was identified;
- the individuals involved or affected;
- immediate actions taken to protect people, property, funds, or the Charity;
- any safeguarding, health and safety, data protection, or criminal concerns identified;
- internal investigation findings;
- decisions made by management or Trustees;
- external notifications or reports submitted;
- communications with regulators, insurers, or other agencies; and
- lessons learned and any corrective actions implemented.

Records relating to serious incidents must:

- be factual, clear, accurate, and contemporaneous;
- distinguish between fact, opinion, and allegation;
- be handled confidentially and only shared on a need-to-know basis;
- be stored securely in accordance with the Charity's Data Protection and Confidentiality requirements; and
- be retained in line with the Charity's retention schedule and any legal or regulatory requirements.

Where appropriate, records should demonstrate:

- how decisions were reached;
- why certain actions were taken or not taken;
- how risks were assessed and managed; and
- what steps were implemented to reduce the risk of recurrence.

Trustees may review serious incident records, trends, and lessons learned periodically as part of the Charity's governance, risk management, and continuous improvement arrangements.

Communication and Confidentiality

InterAct recognises the importance of handling serious incidents sensitively and appropriately.

Information relating to serious incidents should only be shared:

- on a need-to-know basis;
- with appropriate agencies or professionals;
- in accordance with safeguarding and legal obligations; and
- in compliance with confidentiality and data protection requirements.

Media or public statements relating to serious incidents should normally only be made by authorised individuals.

Non-Retaliation

InterAct encourages staff, volunteers, trustees, contractors, and other relevant individuals to raise concerns about wrongdoing, risks, misconduct, unsafe practice, safeguarding concerns, financial irregularities, fraud, corruption, breaches of law, or other serious matters as soon as possible.

Concerns may be raised through the Charity's Whistleblowing Policy, safeguarding procedures, line management arrangements, or directly to the CEO or Trustees where appropriate.

InterAct is committed to creating a culture where individuals feel able to speak up without fear of intimidation, victimisation, retaliation, or unfair treatment. No individual will suffer a detriment for raising a genuine concern in good faith, even where the concern is not ultimately substantiated following investigation.

Retaliation against any person who reports a concern, assists with an investigation, or provides information relating to a serious incident will be treated seriously and may result in disciplinary action, removal from a volunteer role, termination of contractual arrangements, or other appropriate action.

The Charity recognises that, in some circumstances, individuals may also have legal protections under the Public Interest Disclosure Act 1998.

Where possible and appropriate, concerns raised under whistleblowing arrangements will be handled confidentially. However, confidentiality cannot always be guaranteed where safeguarding concerns, criminal offences, regulatory reporting obligations, or legal proceedings are involved.

Individuals are expected to raise concerns honestly and responsibly. Deliberately false, malicious, or knowingly misleading allegations may be addressed through the Charity's disciplinary or conduct procedures where appropriate.

Non-Compliance

Failure to report or manage serious incidents appropriately may:

- place individuals at risk of harm;
- expose InterAct to legal or regulatory action;
- undermine public trust and confidence;
- compromise safeguarding arrangements; and
- create significant reputational or financial risk.

Deliberate failure to report serious concerns may result in disciplinary action, referral to regulators, or other appropriate action.

Monitoring and Review

Trustees and senior management will monitor serious incident reporting arrangements through:

- governance oversight;
- safeguarding reviews;
- incident monitoring;
- risk management processes;
- audits or reviews; and
- periodic review of incidents and lessons learned.

This policy will be reviewed at least annually, or sooner, where:

- legislation or guidance changes;
- serious incidents occur;
- safeguarding arrangements change; or
- improvements are identified.

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Approved By: Vickie Perkins (CEO) and Heather Moore (Trustee)