

Reporting Serious Incidents to the Charity Commission:

ADDENDUM TO 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 sets out Restless Development's organisational commitment to and practice for reporting serious incidents to the Charity Commission in line with the 2017 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.
- We have a commitment to reporting to relevant authorities in line with legal requirements and Charity Commission guidance.

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.

1.4 ACCOUNTABILITY

Restless Development's International Board of Trustees (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 Trustees;
- Visible, active commitment from senior staff — CEO, Senior Leadership Team, and Global Directors;
- Establishing effective 'downward' communication systems and management structures;
- Integration of good safety and security, safeguarding 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 and attending 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 s/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 PROGRAMMES DIRECTOR

The Programmes Director is responsible for reporting all programmatic and/or safeguarding incidents both 1) directly to the Chair of Trustees and 2) to the Board of Trustees as a whole through the relevant sub-committee/s as appropriate (i.e. The Programmes Committee and/or the People Committee).

The Programmes Director is also responsible for reporting any serious programmatic and/or safeguarding incidents to the Charity Commission in line with their reporting requirements and this policy.

4.2 FINANCE DIRECTOR

The Finance Director is responsible for reporting all instances of alleged or actual financial incidents both 1) directly to the Chair of Trustees and 2) to the Board of Trustees as a whole through the relevant sub-committee (i.e. The Finance and Audit Committee).

The Finance Director is also responsible for reporting any instances of serious alleged or actual financial incidents to the Charity Commission in line with their reporting requirements and this policy.

5. REPORTING REQUIREMENTS

5.1 WHEN TO REPORT – WHAT WE COMMIT TO REPORTING

Restless Development commits to reporting an actual or suspected serious incident, as per the guidelines set out by the charity commission below, promptly. This means as soon as is reasonably possible after it happens, or immediately after Restless Development becomes aware of it.

Restless Development reports in line with the below guidance provided by 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 reports all crisis incidents using the below definitions:

- Incidents in which a beneficiary, volunteer or staff member has suffered serious harm or death whilst in the care of or caused by a volunteer or staff member of Restless Development
- Any incident where the conclusion is that significant harm has been caused to an individual as a result of a breach in Restless Development's safeguarding policies (refer to Restless Development Safeguarding policy)
- All instances of alleged or proven fraud (refer to Restless Development Finance policy).

5.3 HOW TO REPORT – WHAT DETAILS TO INCLUDE

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

- Who is reporting on behalf of Restless Development and their role / connection to the 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.

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 and the Data Protection Act 1998 and the General Data Protection Regulation (GDPR) 2018.