

Serious Incident Reporting (SIR): Guidance for federations and WIs

The Charity Commission requires all charities to report serious incidents to ensure transparency and to show that any issues that arise are being acknowledged and well managed. When a serious incident occurs charities need to report what happened and, importantly, let the Commission know how they are dealing with it. This is required even in cases where the incident has also been reported to other agencies eg. the police, donors or another regulator.

We know that thankfully these incidents are rare, but what is important is that when they do occur a charity needs to be transparent in its management of the situation and ensure that the charity commission are notified.

What is a serious incident?

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

- harm to the charity's beneficiaries, staff, volunteers or others who come into contact with the charity through its work
- loss of the charity's money or assets
- damage to the charity's property
- harm to the charity's work or reputation.

It is for the charity itself to define "significant" taking account of the charity's staff, operations, finances and/or reputation. To help support this discussion, more information can be found here: <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity#action>

Who should report?

The responsibility for reporting serious incidents rests with the charity's trustees. In practice, this may be delegated to someone else within the charity, such as a member of staff or the charity's legal advisers. However, all trustees bear ultimate responsibility for ensuring their charity makes a report, and does so in a timely manner. A report should be submitted as soon as possible after the Trustees become aware of the incident.

What happens if trustees review an incident and decide not to report?

It is for the Trustees to decide whether an incident should be reported. However if you decide not to make a report about something serious that has happened in your charity and the Commission later becomes involved, you will need to be able to explain why you decided not to report it at the time. Therefore you should keep formal minutes of any discussions held regarding the case and the rationale for not making the report. Trustees should also be aware that other parties can notify the Charity Commission to raise a complaint/act as whistleblowers and therefore this needs to be taken into account when deciding whether to formally report an incident or not.

The Charity Commission provide useful resources to support decision-making and these can be found at: <https://www.gov.uk/government/publications/its-your-decision-charity-trustees-and-decision-making>

How will this work within the NFWI?

At each level of the organisation (WI, federation and the national charity) the responsibility sits with the trustee board to identify and report a serious incident. However, responsibility for *submitting* SIRs will sit with federations and NFWI.

WI responsibility

Trustees of WIs should be familiar with the SIR process and under what circumstances a formal report to the charity commission is required. If there is a serious incident within or relating to their WI they should notify their federation immediately.

Federation responsibility

Federation trustees should be familiar with the SIR process and under what circumstances a formal report to the charity commission is required.

The Federation Board is responsible for obtaining legal advice and submitting SIRs to the charity commission relating to any serious incidents at federation level or which have been reported to them by WIs.

When an SIR is submitted by a federation then it will be the duty of Trustees to notify the NFWI Head Office within 5 working days of submission. This information will be treated in strictest confidence and filed securely.

NFWI responsibility

NFWI Trustees should be familiar with the SIR process and under what circumstances a formal report to the charity commission is required.

The NFWI Board is responsible for obtaining legal advice and submitting SIRs to the charity commission relating to any serious incident or theme identified at national level.

NFWI will also be responsible for monitoring the nature of SIRs submitted from across the organisation and identifying any additional support and information that may be beneficial for federations and WIs.

How do trustees submit an SIR?

The process for reporting is very simple. You should contact the Charity Commission directly to report what happened and explain how you're dealing with it, even if you have already reported it to the police or another regulator.

The report should be sent to: RSI@charitycommission.gov.uk and can be sent as an email or attached document.

The report simply needs to cover the following information:

- who you are, your connection to the charity and confirmation of your authority to report on behalf of the charity (if you are not a trustee then you need to confirm that you have the authority you have to report on behalf of the charity's trustees)

- who in the trustee body is aware of the incident, for example is it all trustees or just some of them?
- what happened and when the charity first became aware of it
- the action which has been taken or will be taken to deal with the incident and prevent future problems
- whether and when it has been reported to the police or another regulator/ statutory agency (including official reference numbers)
- media handling lines you may have prepared.

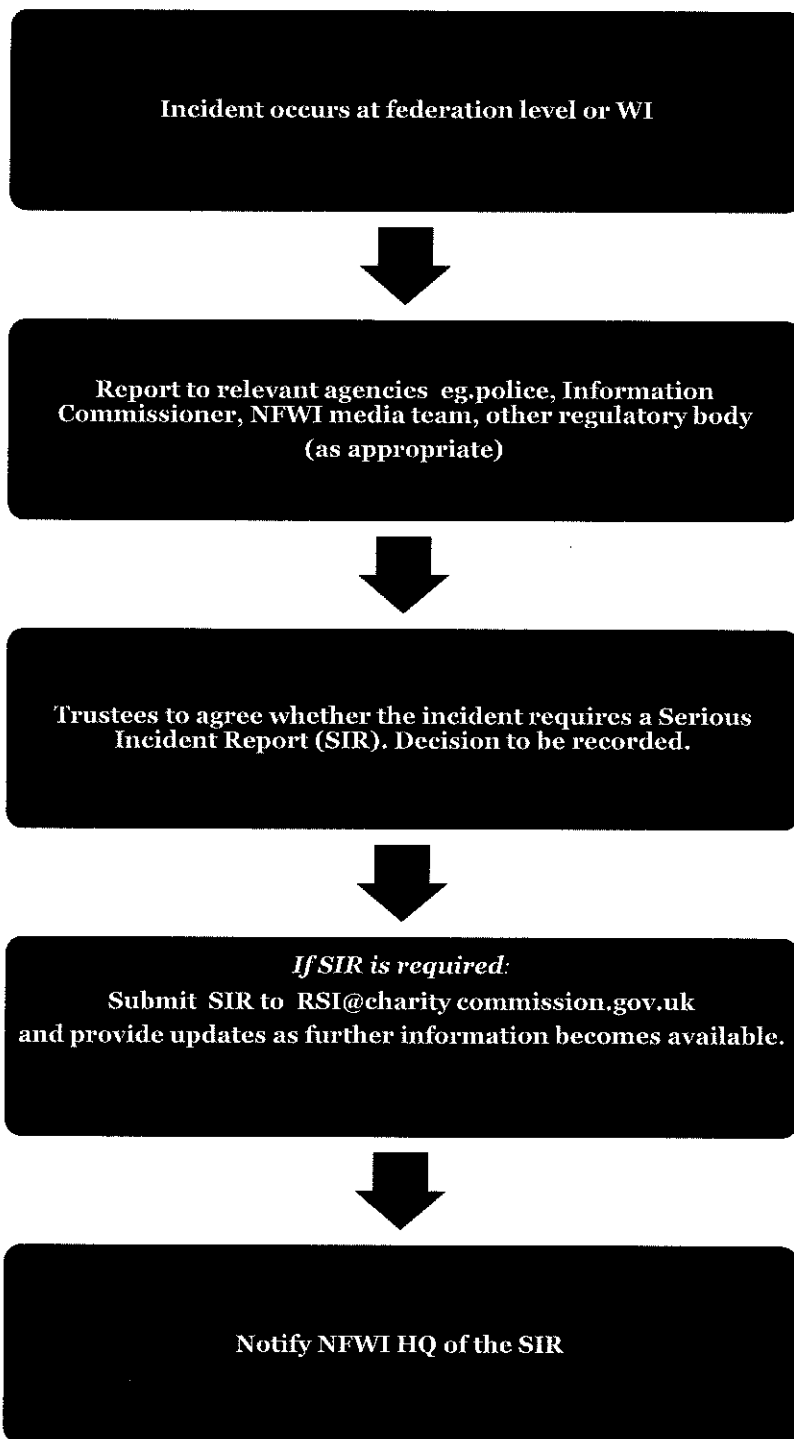
There may be circumstances where a serious incident occurs involving more than one charity and the incident should be reported by each of those charities. This might be, for example, where the incident materially affects several WIs or a WI and the federation. In these cases, the boards of these charities can agree for one of the charities to make the report on behalf of all of them, provided that they:

- make it clear to the Charity Commission that they have the authority to do this, and
- tell the Charity Commission about the action that each of the charities are taking in response to the incident.

What happens after trustees submit an SIR?

After submitting an 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.

Federation process summary:



Please note this information is for trustees at all levels of the organisation. Federations should cascade this information to WIs.