

Serious Incident Reporting Policy

March 2026

1. Introduction

1.1 The purpose of this policy is to ensure that staff colleagues and trustees of APPCT (Alexandra Park and Palace Charitable Trust) are able to identify serious incidents, escalate them as appropriate and report them internally so that the trustees can exercise adequate oversight and consider whether to make a serious incident report to the Charity Commission for England and Wales (the “**Commission**”) among other potential actions.

1.2 In particular, this policy sets out how APPCT seeks to ensure compliance with the Serious Incident Reporting (“**SIR**”) requirements of the Commission which are set out in guidance available on its website¹ (the “**SIR Guidance**”).

1.3 This policy applies to all those working on behalf of APPCT including trustees, staff colleagues, volunteers, agency staff, freelancers and contractors. Failure to adhere appropriately to the policy will be treated as a very serious matter and may result, in the case of staff colleagues, in disciplinary action for gross misconduct or, in the case of agency staff, freelancers and contractors, in contract termination. If you are not working under a contract (for example, you are a volunteer or trustee), a breach of this policy may mean that we have to ask you to cease being a volunteer or trustee.

1.4 Although APPCT trustees may delegate the responsibility for making reports of serious incidents to someone else within APPCT, such as a member of the Executive team, the trustees remain ultimately responsible for ensuring that APPCT reports any serious incidents and that it does so in a timely manner.

2. The duty to report a serious incident

2.1 Although there is no statutory requirement under charity law for charities to report serious incidents as they occur, registered charities with an income over £25,000 per year must confirm in their annual return that there have been no serious incidents or other matters that trustees should have reported to the Commission but have not done so. The Commission also considers that, as a matter of good practice, all charities regardless of size or income should report serious incidents to the Commission promptly.

2.2 APPCT trustees and the Executives take serious incidents and threats to APPCT very seriously and consider that reporting serious incidents to the Commission and other relevant

¹ The current guidance (updated 14th June 2019) ‘How to report a serious incident in your charity’ is accessible here: <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity> which may be updated from time to time.

authorities comprises an important part of the effective and appropriate response to any such incident.

2.3 In particular, APPCT understands that reporting a serious incident to the Commission demonstrates that it has the appropriate processes in place to manage risk and take the correct action. Where a report is made, it can also limit the likelihood that the Commission will take any formal regulatory or enforcement action.

2.4 If APPCT fails to report a serious incident that subsequently comes to light, the Commission may consider this to be indicative of mismanagement in the administration of APPCT and may ask APPCT to explain why it was not reported at the time. The failure to report a serious incident could prompt or add to the seriousness of regulatory action, particularly if further abuse or damage has arisen following the initial incident.

2.5 The potential for reputational damage can also be lessened if APPCT is able to show that any serious incident has been handled appropriately.

3. **What is a serious incident?**

3.1 The Commission defines a serious incident in its SIR Guidance as an adverse event, whether actual or alleged, which results in or risks significant:

- (a) harm to a charity's beneficiaries, staff, volunteers or others who come into contact with the charity through its work
- (b) loss of a charity's money or assets
- (c) damage to a charity's property, and/or
- (d) 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.

3.2 The SIR Guidance identifies the following main categories of reportable incidents:

- (a) 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 (this includes incidents of abuse or mistreatment (actual or alleged) and a breach of procedures or policies which has put people who come into contact with the charity at risk, including failure to carry out checks which would have identified that a person is

disqualified in law from holding their position within the charity e.g. under safeguarding legislation, from working with children or adults)²;

- (b) financial crimes -fraud, theft, cyber-crime and money laundering
- (c) large donations from an unknown or unverifiable source, or suspicious financial activity using the charity's funds
- (d) other significant financial loss
- (e) links to terrorism or extremism, including 'proscribed' (or banned) organisations, individuals subject to an asset freeze, or kidnapping of staff, and
- (f) other significant incidents, such as:
 - (i) a trustee or a senior manager being disqualified from holding that position
 - (ii) something has happened to force the charity into insolvency or to wind up
 - (iii) forced withdrawal of banking services and difficulties securing alternative accounts
 - (iv) the charity is subject to a police investigation or a significant investigation by another agency/ regulator (the SIR Guidance states that a charity does not need to report routine regulatory inspections unless they resulted in significant adverse findings that place the future of the charity in doubt, are likely to damage the charity's reputation or public confidence in the charity, or relate to any of the other categories of serious incidents)
 - (v) major governance problems, such as mass resignation of staff or trustees, or other events, leaving the charity unable to operate
 - (vi) the charity's trustees or employees are the subject of criminal proceedings, in connection with the charity or their role in it
 - (vii) there has been a significant data breach or loss within the charity, and
 - (viii) an incident has occurred involving one of the charity's partners in the UK or internationally which materially affects the charity, its staff, operations, finances and/or reputation (this includes delivery partners, subsidiary companies, funding recipients and organisations linked to the charity (for example as part of a federated structure).

² The Commission's guidance '*Safeguarding and protecting people for charities and trustees*' (updated 1 June 2022) is available here: <https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees>

3.3.1 The Commission has made clear that any allegations or incidents arising in other organisations within a federated structure within which a charity sits, over which a charity has any control, provides funding or other resources or in relation to which an incident may result in reputational damage to the whole group or movement, may also comprise a serious incident for the purposes of reporting, even where the other entities within the structure are incorporated and regulated separately and/or in another jurisdiction. Where two or more of the organisations are registered charities, the incident should be reported by each charity, although the charities may agree to authorise one charity to make the report on behalf of all of them.

3.3.2 Where other organisations are closely connected to APPCT and/or permitted to use or share its logo, branding and resources e.g. Haringey Council, incidents affecting it are likely to have an impact on APPCT due to the public nature of the association.

3.4 The Commission recommends that any incident or matter which could get into the public domain or be reported in the media is reported to it as soon as possible (even if initially on an interim basis) so that the Commission can prepare its own public response and be in a position to say that it is already liaising with a charity in relation to it.

3.5 The SIR Guidance provides more details about the types of matters that should be reported and also includes a table of examples of matters that usually should or should not be reported:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752170/RSI_guidance_what_to_do_if_something_goes_wrong_Examples_table_deciding_what_to_report.pdf

3.6 This Policy and the SIR Guidance are not exhaustive, and matters may still constitute serious incidents if they do not fall within any of the categories identified above.

3.7 If in doubt as to whether something constitutes a serious incident, you should discuss it with the Relevant Officer where applicable (see below) or otherwise with the **Finance Director/CEO**.

4. Reporting principles and procedures

4.1 APPCT will provide training to those who work for it (including trustees, staff colleagues and volunteers) so that they can identify serious incidents and know what to do if one occurs.

Internal reporting by employees

4.2 Staff colleagues or volunteers should not seek to make a serious incident report to the Commission themselves. Instead, they should report their concerns internally in accordance

with the relevant policy so that appropriate action can be taken.

4.3 The following APPCT policies relate to contexts in which serious incidents may arise:

- (a) Safeguarding
- (b) Data Protection
- (c) Finance Regulations
- (d) Business Continuity and Disaster Recovery
- (f) Whistleblowing

4.4 Where a serious incident is covered by one of these policies, staff colleagues and volunteers should use the mechanism set out in the relevant policy and report the incident to the individual named in that policy (the “Relevant Officer”). In the event that an incident is not covered by one of the above-listed policies, staff colleagues and volunteers should report the incident to the **Finance Director/CEO**, whose contact details are at the end of this Policy, as soon as possible and in any event within 24 hours.

4.5 Where an incident or allegation relates to the Relevant Officer or **Finance Director/CEO**, the staff colleague or volunteer should report the incident or allegation directly to the Chair of the Board of APPCT, or the relevant Trustee Lead, (as defined in paragraph 4.8), or another member of the Board, if neither are available or would be subject to a conflict of interests or loyalty in relation to its subject matter.

4.6.1 Upon receiving a report, the Relevant Officer or **Finance Director/CEO** will assess whether they think it may potentially be a serious incident and if so, will promptly (and within 24 hours) report the incident or allegation to the Chair and the relevant Trustee Lead or another member of the Board if neither is available, or would be subject to a conflict of interests or loyalty in relation to its subject matter.

4.6.2 The Chair will meet with the relevant Trustee Lead, if any, and refer the matter to the Board, taking account of any relevant guidance, policies and procedures and taking advice from relevant members of the Executive and/or externally as appropriate, in order to determine next steps.

4.7 A record of the reasons why a Serious Incident Report is or is not submitted shall be made in the minutes of the relevant meeting(s).

4.8 In this Policy, ‘Trustee Lead’ means the Chair of any relevant Committee or appointed as Trustee Lead e.g. for Safeguarding, or otherwise nominated to a lead role in relation to any applicable policy.

Reporting to the Commission

4.8 The trustees will respond to serious incidents promptly, in a comprehensive and systematic manner; will assure themselves that all appropriate steps have been or are in process; and will seek to prevent or minimise any further harm, loss or damage.

4.9 Assessing whether a reportable serious incident has occurred is a matter for the trustees, to determine, having reviewed and considered the SIR Guidance and any related Commission documents or other guidance, and they may seek advice from professional advisers before doing so.

4.10 The trustees will ensure that serious incidents are reported to the Commission promptly. The urgency of reporting will depend on factors including the nature and seriousness of the incident, the potential impact on APPCT and whether it is likely that there will be media coverage of the incident.

4.11 The SIR Guidance notes that it is important to provide enough detail in the report to give the Commission a clear picture of what happened and when, the extent of any loss or harm, how a charity is dealing with it and the planned/possible next steps (see below for further details of the information to provide in the report). The trustees will liaise with relevant member of the Executive Team to gather the appropriate information required to report the matter to the Commission.

4.12 It is important to balance the fact-finding exercise with the need to report incidents promptly. Some discretion may need to be exercised in these circumstances. It will always be open to APPCT to make an initial report to the Commission covering those facts that are known

to APPCT to date and provide further updates to the Commission following internal investigation or as matters develop, including regarding the actions which have been taken to respond to and manage the incident. APPCT notes that the SIR Guidance says that if, having submitted a report to the Commission, a charity becomes aware of any material changes to the facts reported or significant developments, the charity must inform the Commission as soon as it becomes aware of them.

4.13 The board, may delegate operational responsibility for submitting an SIR to a senior member of staff. Any delegation should be clear about the scope of the report (the substance having been approved by the board), and the deadline for submission. The SIR Guidance makes it clear that decisions made by others should be reported back to trustees, particularly where incidents were 'borderline' and a charity considered making a report but decided not to.

4.14 The serious incident report should be filed by emailing RSI@charitycommission.gsi.gov.uk or such other address or method of reporting as the Commission may from time to time require.

4.15 Unless a specific reporting framework has been agreed with the Commission, the following information should be included in the report:

- (a) the individual submitting the report and their connection to APPCT
- (b) the authority they have to report on behalf of the trustees
- (c) who within the trustee body is aware of the incident, for example all trustees, some of them or specific trustees
- (d) what happened and when APPCT first became aware of it – to the extent that information may identify individuals in sensitive circumstances, the level of detail may be tailored accordingly. It is not necessary to provide names of individuals involved in the initial report – the Commission will request this information if it needs it. However, the account should otherwise be fully candid and should not be expressed in general terms or euphemistically
- (e) the effect of the incident on the charity or its beneficiaries or both
- (f) action being taken to deal with the incident and prevent consequential risks and future occurrences (this will likely include details of any investigations by APPCT (whether complete or underway); whether APPCT has any policies or procedures that apply to the incident in question and whether they were followed including any reasons why they were not followed (if applicable); and whether as a result the trustees have determined that current policies or procedures need to be revised, or new ones put in place if they do not already exist)

(g) whether and when it was reported to the police or another regulator/statutory or other agency (including official reference numbers) and any action taken, whether any guidance was offered and the extent to which it has been followed. In circumstances where, upon careful risk assessment, it has been determined that it would not be appropriate to report to external authorities (such as, but not limited to, the wishes of the victim/survivor/complainant; potential harm to the victim/survivor/complainant; justifiable concerns in relation to the due process with which the matter would be treated), a summary of the reasons for that determination should be included in the report and the decision and reasons should otherwise be carefully documented

(h) media/donor/patron/public relations handling plans that have been or will be prepared by APPCT, if any,

(i) insurance coverage, if any, and notification to and/or correspondence with the insurers where relevant

(j) any other review or investigation that will take place as a result of the incident or allegation, including in respect of governance arrangements, contracts with third parties or policies and procedures, and

(k) specifying whether the information is confidential and/or may risk identification of individuals if disclosed externally.

Other actions to take

4.16 APPCT will prepare a communications plan covering what it will say to staff colleagues, volunteers, beneficiaries, members, supporters, patrons, the public and the media.

4.17 Consideration should be given to whether it is appropriate to obtain external advice, such as legal and/or communications advice.

4.18 APPCT will review what happened and identify and take steps to prevent it from happening again - this may include strengthening internal controls and procedures, and/or seeking appropriate help from professional advisers.

4.19 Consideration must also be given to whether a serious incident should be reported to APPCT insurers in accordance with the relevant insurance policy (if any).

4.20 In addition to making a serious incident report to the Commission, if the incident occurred in the UK, it may be necessary to inform or make reports to other relevant regulators or agencies. APPCT should report:

- (a) crime, or suspected crime, to the police and obtain a crime reference number
- (b) any incidents of harm or risk of harm to children or vulnerable adults (including any concerns, suspicions or allegations) to the relevant local authority and obtain a reference number
- (c) incidents of fraud and cyber-crime that take place in connection with the Charity to Action Fraud and obtain a crime reference number
- (d) data breaches to the Information Commissioner's Office in accordance with its requirements, and
- (e) any incidents relating to possible terrorist financing offences, links to terrorism or extremism to police or the National Crime Agency ("**NCA**") and obtain a reference number.

4.21 There is no requirement to report any breaches of the Code of Fundraising Practice or fundraising complaints to the Fundraising Regulator, although SGT may decide to report to the Fundraising Regulator if it is sensible in the circumstances.

4.22 Where there is actual or suspected criminal activity or other serious incident that has occurred in another country, APPCT will ensure that it is made aware of the requirements of local law and regulation, including in respect of reporting. APPCT will carefully consider and risk assess the making of such a report to the police and/or to any other regulators or authorities to which APPCT is accountable or which otherwise have jurisdiction in relation to the matter.³ This will include consideration of the risk of harm to others (such as the victim and alleged offender) if the incident is reported and cultural differences and sensitivities. To the extent that it is determined, after careful consideration, not to report an incident to the national or regional authorities of another country, the decision will be carefully documented and reasons provided to the Commission when the serious incident report is made. Where an alleged offender is a UK national or resident, consideration will be given to reporting to the NCA.

APPCT must carefully consider and have due regard to any and all advice given by statutory or other bodies in relation to its handling of the incident or allegation. It must be carefully and securely documented and explained to the Commission in the serious incident report made.

³ The Charity Commission has issued guidance on reporting criminal incidents in the UK and overseas, accessible here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/749335/guidance_on_criminal_reporting_inc_overseas.pdf.

5. 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 APPCT is dealing with the incident, and may take steps to verify the details, for example and where relevant, by contacting the police. The Commission may also follow up if it:

- (a) needs more information about the incident
- (b) considers APPCT needs regulatory advice and guidance
- (c) has to use its legal powers to protect APPCT and/or the people who come into contact with it through its work
- (d) decides to request updates on future development
- (e) needs to monitor APPCT progress in dealing with it.

5.2 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 APPCT, though it is rare that it would do so without some form of preliminary communication or dialogue.

6. Data protection and confidentiality

6.1 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.

6.2 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 Regulation (EU) 2016/679 (and any other law and related guidance as may subsequently be in force).

6.3 The Commission's SIR 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).

6.4 Despite this, all serious incident reports should be marked as confidential (unless the information is already wholly available in the public domain, which is highly unlikely). In addition:

- (a) any personal data should be removed to the greatest extent possible and, if appropriate, the risk of identification of individuals (though unnamed) should be highlighted
- (b) any particularly sensitive information in the report should be identified
- (c) any specific exemptions from disclosure (such as an exemption under the Freedom of Information Act) should be specifically referred to and relied upon, and
- (d) the report should contain a request that it is not disclosed to third parties and that the Commission notifies the Charity if it receives a request to disclose information to third parties (e.g. the media or individuals).

Partners and recipients of funds or other resources

- 6.5 APPCT will enter into an agreement on UK Serious Incident Reporting with each of its, partners, affiliates and entities in receipt of APPCT funds and other resources. These outline the requirements for prompt notification to APPCT regarding any serious incidents within or likely to impact UK-funded programmes or where incidents may have an adverse impact on APPCT.

7. Learning from serious incidents

7.1 It is important that APPCT appropriately manages and responds to a serious incident. This includes learning from the incident and taking steps to minimise further harm in consequence of the incident and to prevent similar incidents from occurring in the future.

7.2 The Directorate and trustees should consider whether APPCT has taken appropriate steps to respond to a serious incident and ensure that sufficient controls and procedures are put in place to mitigate and manage any future risks to APPCT, its people and beneficiaries. This should be documented and a report given to the Board on the implementation of the measures taken.

8. Reporting to the Board

Where an SIR has been made, or an incident has taken place which falls short of the threshold for reporting, however, it is or is potentially material, and/or there are significant lessons to be learnt, trustees shall be informed as soon as possible, and in the case of the latter situation, the steps in paragraph 7 shall be taken.

9. Review of this policy

This policy will be subject to review by the board of trustees every 2 years upon the Commission issuing updated guidance in relation to serious incident reporting, whichever occurs first, or as otherwise appropriate.

	Email:	
	Telephone:	

Date of policy:

Version 1.2

Date for review: