

# Serious Incident Reporting Policy

## 1. Scope of the policy

The trustees and officers of NAS have responsibility to promote and enable the charity purpose and ensure smooth and proper running of the charity. If any incident that interferes with this process and that requires escalation to a higher authority occurs, this must be reported to the Charity Commission in accordance with the policy below. This advice relates mainly to Trustees who should ensure that Charity Commission guidance is followed as closely as possible.

Minor incidents can and should be dealt with internally, in accordance with NAS policy covering the relevant issue; this policy relates to incidents which would be significant to the long term stability of NAS in the context of its existing operation; there is not a benchmark level of 'harm'.

The charity commission requires a charity whose income is over £25,000 to declare in the Trustees' annual return that it has **not** experienced any serious incidents which have not already been reported.

Where there is evidence of criminality, this **must** be acted on and reported to police or other relevant authority.

## 2. Areas of concern for Serious Incident Reporting

- **Safeguarding and protecting people**
  - *A member or staff or volunteer suffers serious harm*
  - *A member or staff or volunteer is sexually assaulted*
  - *NAS trustees fail to carry out checks on statutory certification*
- **Fraud, Financial mis-use, money laundering and cyber crime**
  - *A large donation from an unknown source*
  - *Accounts are not balancing for an extended period - ; losses up to 20% of income*
  - *Charity funds are misappropriated or a representative is a victim of phishing scam*
- **Theft and breaking in**
- **Suspected Links to Terrorism**
  - *Person connected with charity is arrested under Terrorism act*
  - *Visitor is observed bringing up inappropriate issues*
- **Significant Governance incidents, eg**
  - *a Trustee is being investigated by a Regulator or charged while in office*
  - *-loss/resignation of all Trustees*
- **Fundraising breaches of Code of conduct**
  - *Someone is fundraising using NAS charity name*
  - *Funds are not arriving in the charity account*
- **Data breaches involving whole charity**

## 3. Responsibility for Reporting and reporting process

- Director contacts Trustees IMMEDIATELY by phone or email

- Trustees consult and decide on escalation to relevant authority and report to Charity Commission within 48 hours If it is deemed a 'serious incident'
- Actions to put in place if deemed SI

#### **Process of reporting**

- Decide action to take immediately to minimise loss / damage / distress
- Report to the Charity commission
  - Named contact and charity name and registration number
  - reference numbers and contact details if you've reported it to other organisations such as the police
  - date of the incident and what happened
  - date and method the charity found out about the incident
  - what impact the incident has had on the charity's beneficiaries, finances, staff, operations or reputation
  - whether trustees are aware of the incident
- Include details of how New Art Studio is handling the incident, including:
  - which of the charity's policies or procedures relate to the incident and whether they were followed
  - what steps the charity has taken to deal with the incident
  - where applicable, the charity's media handling or press lines, including a link to a press release if available
- Report to police or other authorities as appropriate
- Contact all staff and volunteers and communicate the situation, including if necessary funders and supporters

### **3. Follow up and reviews**

Whilst the investigation is ongoing, the Director will update the Trustees on a daily basis.

If necessary an Extraordinary Management Meeting will be called.

If necessary, an extraordinary Trustee meeting will be called.

Once the incident is no longer live, the item will be minuted in Management meeting and a report will be produced which identify trigger factors and also lessons learned.

Policy updated September 2024