



Serious Incident Reporting Policy and Procedure

Introduction

1. As a College we have a responsibility to report serious incidents to the Charity Commission when they occur and to confirm annually that we have reported all serious incidents.
2. This policy is informed primarily by the Charity Commission's guidance. The policy sets out how Worcester College will fulfil its responsibility to report serious incidents. It will form only part of the handling of incidents.

Responsibilities and oversight

1. Ultimate responsibility for reporting incidents sits with the College's Trustees. All College staff and Trustees have an important role in identifying serious incidents.
2. The Provost makes decisions on Serious Incident Reporting and has the delegated authority to implement this policy across the College.
3. The Serious Incident Reporting Policy is kept under review by the Governance and Compliance Committee.

Serious Incidents

4. All College members and staff should be aware of the potential for
 - a. significant harm to beneficiaries, staff, volunteers or others who come into contact with the College through its work;
 - b. significant loss of the College's money or assets;
 - c. significant damage to the College's property; and
 - d. significant harm to the College's work or reputation.
5. The Charity Commission has published guidance and a set of examples to assist in the identification of serious incidents which should be the primary guidance in deciding to make a report.¹
6. Further to the Commission's guidance, possible incidents relevant to the College's work and reputation include but are not limited to
 - a. assault (including sexual assault) said to have been committed by a Fellow, member of staff or student against a person coming into contact with the College through its work;
 - b. harassment, discrimination, abuse or bullying said to have been committed by a Fellow, member of staff or student against a person coming into contact with the College through its work;

¹ Charity Commission, 'How to report a serious incident in your charity': <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>, and see further the Commission's Examples Table.

- c. breach of the Staff/Student Relationships Policy;
 - d. significant failure by the College to apply or follow its Statutes, By-laws, policies or procedures, including, for example, the Student Disciplinary Procedures, Fitness to Study Procedure, Harassment Procedure, or Student Complaints Procedure; and
 - e. the death or serious injury of any person on College premises or in the course of contact with the College through its work.
7. Day-to-day misconduct and isolated personal conflicts of beneficiaries, staff and users do not need to be considered and/or reported unless they involve senior members of college or constitute a repeated pattern of behaviour which could lead to reputational damage.
 8. Beneficiaries, staff, volunteers or others who come into contact with the College include, but are not limited to, staff, Fellows, students and Old Members, applicants for places, school children participating in outreach programmes, choristers, families of students, contractors, visitors and tourists attending the College, and those attending summer schools, conferences and College or Chapel events.
 9. Incidents should be considered in relation to both actual and alleged events.
 10. Incidents should be considered if they occur in relation to the College's work or reputation. Relevant incidents are not limited to those which occur on College grounds.

Procedure

Notification

11. The Provost receives notification of possible serious incidents. Where there is a conflict of interest or unavailability, the Finance and Estates Bursar may be notified instead.
12. In handling issues and incidents as they occur, all College members and staff should consider whether the matter constitutes a serious incident and escalate it, where appropriate, to a College Officer or Head of Department.
13. College Officers and Heads of Department have primary responsibility within their area of responsibility to be aware of the guidance in this policy and thus notify the Provost of a possible serious incident.
14. In reviewing reports from committees and staff, Fellows should also be aware of the guidance in this policy and thus notify the Provost of a possible serious incident.
15. The Charity Commission expects the College to report an incident as soon as is reasonably possible after it happens, or immediately after the College becomes aware of it.

Delegation

16. The Provost may consult with the Vice Provost, Finance and Estates Bursar and other Trustees on a possible serious incident.
17. The Finance and Estates Bursar will normally submit reports and communicate with the Charity Commission in relation to reports on the College's behalf.

18. Where the notified matter relates to safeguarding, as defined in the Safeguarding Policy, the Committee will seek the input of the Designated Safeguarding Lead.

Assessment

19. Each incident should be considered on a case-by-case basis.
20. The Provost will investigate incidents, in collaboration with relevant College Officers and Head of Department, and refer potential reports to General Purposes Committee for consideration where appropriate. It is not for the Provost or Committee to resolve incidents, and the Provost does not need to wait for resolution before making a report, but they may satisfy themselves that appropriate steps are being taken and policy formulated if necessary.
21. The Provost should construe possible serious incidents broadly.
22. In determining to submit a report, the Provost and Committee should have reference to the Charity Commission guidance on serious incident reporting and other legal and professional advice.
23. In making a proportionate estimation of potential reputational harm, the Provost and Committee should take into account the context of:
 - a. the College's history as a world-class higher educational and research institution which has operated for over 300 years;
 - b. the size of the College's endowment, Fellowship, and staff and student bodies;
 - c. the College's charitable objects and the College Strategy approved by Governing Body;
 - d. the media attention which the College attracts as a prominent institution; and
 - e. the likelihood of lasting reputational harm to the College in the mind of a reasonable person.
24. In assessing significance, the Provost and Committee should consider:
 - a. the degree of actual, alleged or potential harm to the person affected, or to the College's work, reputation or resources;
 - b. the seniority of those whose conduct is alleged to have caused harm;
 - c. whether the incident has been reported to the police or other public authorities, and, if so, whether they are investigating it or taking any other action; and
 - d. whether there has been any systemic or repeated failure of the College's internal policies or safeguards, or whether the incident is a single episode that has been detected and dealt with or remedied appropriately.
25. In considering unproven allegations, the Provost and Committee should consider whether preliminary investigation indicates that there is a case to answer.

26. Many incidents will not require a report to be made to the Commission. The Provost should keep a record on file of individual incidents which do not meet the threshold of seriousness, particularly those which constitute a systemic failure and/or where a pattern of incidents or further developments would likely meet the threshold of seriousness.

Reporting

27. If it is decided that a report should be made, the Provost will inform Governing Body in writing before submission and will consider summoning an extraordinary meeting of Governing Body.
28. The Bursar will make the report to the Charity Commission as soon as practicable and update the Commission on developments where necessary.
29. When the matter has been sufficiently resolved, the Bursar will inform the Charity Commission to withdraw the report.
30. The Provost will submit a written report to Governing Body, as soon as practicable and no later than the next general College Meeting, of its dealings with the Charity Commission, including a copy of the report.
31. Where appropriate, the Provost will inform the notifying officer(s) and relevant staff of the decision to report or record an incident and invite future notifications on relevant matters.
32. A copy of any Serious Incident Report and the annual report which the College submits to the Charity Commission will be forwarded to the Chair of the Audit and Risk Committee for that Committee's consideration before its last meeting of the year.

Relevant Policies

33. This policy should be read in conjunction with following other policies and procedures:
- a. Risk Management Policy
 - b. Safeguarding Policy
 - c. Data Protection Policy
 - d. policies listed in section 5.c. and d.

Change log

1.0	MT 2024	Policy first adopted by Governing Body to take effect on 12 January 2025.
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