Serious Incident Policy

This policy is to be reviewed biennially. Last reviewed 23/10/25

For the purposes of this document, Wiltshire Young Musicians (WYM) includes WYMT Ltd and the Committee members acting on behalf of the trustee.

Wiltshire Young musicians is hereinafter referred to as "the charity."

Why this policy exists

This policy covers serious incident reporting to the charity regulator, the Charity Commission ("the commission"), as it relates to Wiltshire Young Musicians. This policy provides Wiltshire Young Musicians with an effective and easy to follow process that closely follows the commission's guidance.

Scope

This policy covers all activities of the charity and its operations. It does not cover or replace the charity's obligations to report incidents to statutory authorities such as the police, health and safety executive or licensing authority that Wiltshire Young Musicians may need to do from time to time in the ordinary operation of its business.

However, incidents that are reported to the statutory authorities can become relevant to this policy, that is become in scope, for example if the charity is subjected to an investigation by a statutory authority or if it deems itself to be at fault and there is potential reputational damage to the charity as a result.

Background

The commission states that it is vital that charities, whether they work domestically or around the world, report serious incidents to the regulator. The commission also states that data on serious incident reporting allows it to better understand risks facing the sector and take appropriate action.

However, the commission recognises the challenging nature of the work undertaken and the difficult context faced by many charities. It understands that serious incidents will happen, but it is the commission's role to ensure that trustees comply with their legal duties and that the charity manages the incident responsibly. The commission will be looking for assurance that the charity has taken steps to limit the immediate impact of any serious incidents that may occur and, where possible, prevent it from happening again.

The commission acknowledges that many problems can be resolved by trustees themselves. However, sometimes it needs to use its powers to protect a charity. Reporting also means the commission can identify whether other charities might be affected and can give better advice to all charities to help them protect themselves.

What is a serious incident?

The commission defines significant as 'significant in the context of your charity, taking account of its staff, operations, finances and / or reputation'; and defines a serious incident as an adverse event, whether actual or alleged, which results in or risks significant:

- Harm to people who come into contact with our charity through our work and our trading subsidiary.
- Loss of our charity's money or assets.
- Damage to our charity's property.
- Harm to our charity's work or reputation.

An act of discrimination against any person with a protected characteristic listed in the Equality Act 2010 will also be treated as a serious incident.

The main categories of reportable incidents set out by the commission are:

- 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.
- Financial crimes – fraud, theft, cyber-crime and money laundering.
- Large donations from an unknown or unverifiable source, or suspicious financial activity using the charity's funds.
- Other significant financial loss.
- Links to terrorism or extremism, including 'proscribed' (or banned) organisations, individuals subject to an asset freeze or kidnapping of staff.
- Other significant incidents, such as – insolvency, forced withdrawal of banking services without an alternative, significant data breaches / losses or incidents involving partners that materially affect the charity.

Policy

It is Wiltshire Young Musicians' policy to report all 'serious incidents' to the commission within 48 hours of the chair's decision, or if the matter has been referred more widely to some or all the charity's trustees the decision of those trustees, to report a serious incident, providing an appropriate level of information and to respond to any resulting requests for information within five working days.

What we will report

The incidents that we will report are based on Commission guidance. This is not a definitive list of reportable incidents but indicates the type of incidents categorised as 'serious' and reportable and will act as a guide as to what should and should not be reported.

Who is responsible for reporting?

The responsibility for reporting serious incidents rests with the charity's trustees. All trustees bear ultimate responsibility for ensuring their charity makes a report and does so in a timely manner.

All incidents, whether deemed 'serious' or not should be reported to the Wiltshire Young Musicians Executive Director **immediately**, either in writing or if verbally reported, confirmed in writing immediately after notification.

The Executive Director will refer any potentially reportable incident to the chair **immediately** either by telephone or email. The board of trustees (or sub-committee of) will be consulted **within 48 hours** as to whether the incident constitutes a serious incident and requires reporting to the Charity Commission.

The report will then be made to the commission within 48 hours of the decision to report a serious incident.

All discussions and decisions taken will be formally recorded and then minuted at the next available board meeting along with any outcomes and further action taken.

Actions we will take in response to a serious incident

If there is a serious incident the trustees, together with the Executive Director will:

- As soon as reasonably practicable prevent or minimise any further harm, loss or damage.
- Report it to the commission as a serious incident.
- Report it to the police (and / or other relevant agencies) if we suspect a crime has been committed, and to any other regulators the charity is accountable to and other agencies such as the local authority designated officer (LADO) for safeguarding.
- Put in place a communication plan for staff, volunteers, the public, the media and other stakeholders, such as founders.
- Review what happened and prevent it from happening again – this may include reviewing internal controls and procedures, internal or external investigation and / or seeking appropriate help from professional advisers.

How we will report

The trustee board delegates formal responsibility for reporting those incidents deemed to be serious incidents to the Executive Director who will report them to the Charity Commission using its online reporting form.

If the information provided (or which Wiltshire Young Musicians wish to provide to the commission) is particularly sensitive or confidential or if a particular exemption applies, we will inform the commission and explain our reasoning.

To ensure that the relevant and appropriate information is captured at the time and reported consistently we will use the serious incident reporting form attached to this policy which is available on request. This form is intended for internal use only as currently the online form cannot be saved or printed.

The charity is required as part of its annual return, to sign a declaration confirming there were no serious incidents during the financial year that should have been reported to the commission. If incidents did occur, but were not reported at the time, we will submit these before we file our charity's annual return, so that we can make the declaration and meet our legal reporting requirements.

Further guidance

Further guidance relating to reporting a serious incident when it involves a partner can be found at:

- https://www.gov.uk/guidance/reporting-a-serious-incident-in-your-charity-when-it-involves-a-partner