

Serious Incident Reporting Procedure

Background

Our Academy Trust is a charity (known as an exempt charity), which means that the Secretary of State for Education (acting through the ESFA) is the principal regulator for charity law compliance. The Secretary of State requires academy trusts to follow guidance produced by the Charity Commission. That includes the Charity Commission's <u>guidance</u> on serious incident reporting.

Although the <u>guidance</u> on serious incident reporting anticipates reports being made to the Charity Commission, it is because the Charity Commission framed it for the charities it regulates directly.

The Charity Commission's guidance on <u>exempt charities</u> confirms that it does not expect exempt charities to make serious incident reports directly to it, but to follow the requirements for reporting of their own Principal Regulator.

Serious incident reports for academy trusts should therefore be made to ESFA, not to the Charity Commission Academy.QUESTIONS@education.gov.uk

Key Principles

It is understood that given the challenging nature of the work undertaken and the difficult context faced by many schools and academy trusts that serious incidents will happen.

When something serious happens it is the role of the Principal Regulator for schools to ensure that trustees comply with their legal duties and that the Trust manages the incident responsibly. This means the ESFA will be looking for assurance that the Trust has taken steps to limit the immediate impact of the incident and, where possible, prevent it from happening again.

Most problems can be resolved by trustees themselves, in some cases with timely advice from professional advisers. Sometimes the ESFA may need to use its powers to protect a Trust. Taking action quickly will help protect the Trust from further harm. Reporting also means that the ESFA can identify whether other Trusts might be affected, and can give better advice to all Trusts to help them protect themselves.

Reporting serious incidents has three main purposes:

- 1. Ensuring trustees comply with their duties
- 2. Providing regulatory advice or guidance or using statutory powers at an early stage where problems are identified in a Trust
- 3. Assessing the risk to other trusts

1. Ensuring trustees comply with their duties

By reporting a serious incident, our trustees demonstrate that they have identified a risk to our organisation that has materialised, and that the trustees are taking appropriate action to deal with it. This protects the trust's assets, reputation and those who come into contact with the trust through our work.

2. Providing regulatory advice or guidance or using statutory powers at an early stage where problems are identified in a Trust

Timely reporting allows the ESFA to identify problems at an early stage and, where appropriate, to provide regulatory advice and guidance to trustees. Any regulatory advice and guidance provided will normally be limited to ensuring the trustees meet their legal duties. In the most serious cases statutory powers may be used in order to protect the Trust and put it back on track.

3. Assessing the risk to other trusts

Serious incident reporting helps the ESFA to measure the volume and impact of incidents within trusts, to identify trends and to understand the risks facing the sector as a whole. This insight helps the ESFA to warn trusts about risks and give trustees the information and tools they need to succeed.

What is a serious incident?

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

- harm to a charity's beneficiaries, staff, volunteers or others who come into contact with the charity through its work (who are collectively referred to throughout guidance as people who come into contact with the charity through its work)
- loss of a charity's money or assets
- damage to a charity's property
- harm to a charity's work or reputation

"Significant" means significant in the context of the academy trust, taking account of its staff, operations, finances and/or reputation

The main categories of reportable incident 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 Trust 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 Trust'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 Trust

It is the responsibility of the trustees to decide whether an incident is significant and should be reported. To help, there is guidance below in relation to each of the categories and an Examples Table.

The Examples Table is not a definitive list of reportable incidents but indicates the types of incidents that should and shouldn't be reported. The Charity Commission's <u>guidance on decision making</u> may be helpful when deciding whether to report an incident.

Reporting procedures

The responsibility for reporting serious incidents rests with the charity's trustees. In our academy trust, this is delegated to the Co CEOs. However, all trustees bear ultimate responsibility for ensuring the charity makes a report, and does so in a timely manner.

Decisions made by the Co-CEOs will be reported back to trustees (particularly where incidents were 'borderline' and making a report was considered but it was decided not to make one).

Where a decision is made not to make a report about something serious that has happened in our charity and the ESFA becomes involved, the Trust should be able to explain why it decided not to report it at the time.

Serious incident reports for academy trusts should therefore be made to ESFA, not to the Charity Commission. ESFA currently receive correspondence here

Reporting criminal activity

If a reportable incident involves actual or alleged criminal activity then the trust must also report it to the relevant agencies:

Safeguarding incidents

Allegations or incidents of abuse or mistreatment of people who come into contact with our Trust through its work (staff, students, visitors) will be reported to:

- the police (a crime reference number will be obtained), and
- the local authority and other relevant agencies, see Protecting people and safeguarding incidents below

Fraud and cyber-crime

Allegations or incidents of fraud and cyber-crime will be reported to <u>Action Fraud</u> via its online reporting tool, ensuring we obtain a crime reference number and making clear that we are representing a charity/trust.

Theft

Allegations or incidents of theft will be reported to the police and a crime reference number will be obtained

Links to terrorism and extremism

Links or alleged links to terrorism and extremism will be reported to the police and a crime reference number will be obtained. If the trust does not do this immediately, it may be committing a criminal offence under Section 19 of the Terrorism Act 2000. This type of incident can be reported to the police in the following ways:

- via the National Crime Agency website
- via the Metropolitan Police Anti-Terrorist Hotline on 0800 789 321
- via 101 or a report at a local police station

Criminal activity overseas

<u>Any</u> actual or alleged criminal activity that takes place overseas will be reported to local law enforcement authorities and/or safeguarding organisations in the location where this occurred. There may also be circumstances where it is necessary to report this to UK authorities. <u>Further guidance</u> on this, is available from the Charity Commission.

Even when other agencies are involved, it is important that charities report the incident promptly to the ESFA themselves and do not wait until someone is arrested, charged or convicted before doing this. The Trust should always inform the ESFA of the action that has been taken or is planned at the time of reporting.

If reporting criminal activity to the police, Action Fraud or the National Crime Agency, the Trust should also make a serious incident report to the ESFA

Protecting people and safeguarding incidents

All charities should be a safe and trusted environment and trustees must take reasonable steps to protect the people who come into contact with their charity through its work from harm. These people include:

- the charity's beneficiaries, including adults at risk and children
- the charity's staff and volunteers

For those charities providing activities and services to children or adults at risk, the term safeguarding has a particular meaning under UK legislation and practice guidance and may require reporting of incidents to statutory safeguarding agencies.

However, for the purposes of charity law and reporting obligations to the Commission as regulator, the Commission uses the term safeguarding as the range of measures in place to protect the people who come into contact with charities through their work from abuse and mistreatment of any kind (including neglect).

Failure by trustees to sufficiently manage safeguarding risks is of serious regulatory concern to the Commission and may be considered to be misconduct and/or mismanagement. It can also damage public trust and confidence in charities and impact upon the sector as a whole.

For further information about trustee duties in relation to safeguarding, see the Commission's guidance Safeguarding and protecting people for charities and trustees.

Types of safeguarding incident to report

The Trust needs to make a report to the ESFA if a serious safeguarding risk materialises. This will usually be if any of the following occur:

- incidents of abuse or mistreatment (alleged or actual) of beneficiaries of the charity (adults or children) which have resulted in or risk significant harm to them and:
- this happened while they were under the care of the charity
- someone connected with the charity, for example a trustee, staff member or volunteer, was responsible for the abuse or mistreatment (alleged or actual)
- other incidents of abuse or mistreatment (alleged or actual) of people who come into contact with the charity through its work, which have resulted in or risk significant harm to them and are connected to the charity's activities
- breaches of procedures or policies at the charity which have put people who come into contact with it through its work at significant risk of harm, including failure to carry out relevant vetting checks which would have identified that a person is disqualified in law from holding their position within the charity. This might be, for example, because they are disqualified under safeguarding legislation from working with children and/or adults at risk

The above may include incidents in the workplace that have resulted in or risk significant harm to trustees, staff or volunteers. This does not mean that it is expected that charities report every internal staffing incident - charities need to make a judgement call about which incidents either individually, or as a collection, are serious in the context of the charity.

However, a report should always be made where the level of harm to the victims and/or the likely damage to the reputation of or public trust in the charity is particularly high (for example, sexual misconduct by the charity's Chief Executive or another person in a senior position or position of specific responsibility, such as the head of safeguarding). The ESFA would also expect to receive a report if the number and nature of staffing incidents indicate

there are widespread or systematic issues connected to sexual harassment, abuse and/or other misconduct in a charity. The Examples Table contains some examples of the types of workplace incidents that should be reported.

Examples table: deciding what to report

If the Trust has grounds to suspect that one of the types of incident listed above has occurred, it's important to act responsibly and take action promptly: As well as reporting to the ESFA, depending on the nature of the incident, we should also notify the police (see earlier in this section), the local authority and/or the relevant regulator or statutory agency.

The Commission's role in relation to safeguarding incidents

The Commission's role is to ensure the charity's trustees are handling the incident appropriately and, where necessary, putting in place improved governance and internal controls, in order to prevent further harm.

The Commission is not responsible for dealing with incidents of actual abuse or mistreatment and it does not administer safeguarding legislation. It cannot prosecute or bring criminal proceedings, although it may refer concerns on to 'lead agencies', such as the police, local authorities and the Disclosure and Barring Service (DBS), as well as to specialist bodies responsible for designated areas, such as education or health and social care.

Safeguarding incidents that occur outside of the charity

Sometimes charities will become aware of safeguarding incidents that have occurred outside of the charity. This might be, for example, where:

- the charity undertakes specialist work (in line with its charitable purposes) in providing safeguarding services and, as a result, deals routinely with safeguarding incidents that occur outside of the charity
- the charity is alerted to alleged abuse of a beneficiary, staff member, volunteer or someone else who it comes into contact with through its work, which has occurred outside of the charity and:
- the abuse was not connected to its activities in any way
- the person responsible for the abuse was not a trustee, staff member or volunteer

If our schools become aware of such incidents, we would not normally be expected to report them to the ESFA. However, we would be expected to do so if it's found (or alleged) that the incident wasn't handled appropriately by our charity and this resulted in harm to the person or persons concerned. In such circumstances, a report should also be made to the police and local authority.

Reporting safeguarding incidents to other regulators

Charities providing care or education services, are also accountable to other regulators and may be required to report safeguarding incidents to them as well as to the Commission. The ESFA should be informed of other agencies to whom an incident has been reported when submitting a report to the ESFA.

Financial crime: fraud, theft, cyber-crime and money laundering

Fraud, theft and cyber-crime are different criminal offences. They may relate not just to a charity's funds and financial assets, but also to other assets, such as databases and confidential or sensitive information. The impact on a charity can be significant, going

beyond financial loss. These crimes cause distress to trustees, staff, volunteers and beneficiaries; they may also bring adverse publicity to the charity and damage its good reputation with donors, beneficiaries and the public, as well as that of the charity sector more generally.

The main categories of reportable financial crimes are defined below:

- Fraud is dishonesty, involving either false representation, for example 'identity fraud', failing to disclose information, or abuse of position, undertaken in order to make a gain or cause loss to another
- Theft is dishonestly taking property belonging to another with the intention of permanently depriving the other of it
- Cyber crime is any criminal act involving computers and networks. These crimes can be
 quite complex and difficult to detect, often involving data breaches or identity fraud. It's
 important to consider how best to protect the Trust from harm online. Read more
 detailed advice on <u>guarding against cyber-crime</u> and how to become accredited under the
 government's Cyber Essentials Scheme
- 'Money Laundering' is the term used where criminals turn the proceeds of crime ('dirty' money) into property or money ('clean' funds) so that they seem lawful and legitimate this avoids suspicion or detection. Unfortunately, the good reputation and public confidence enjoyed by a charity can also make it a target for criminals looking for a safe 'hiding place' for illegitimate funds. We can substantially reduce the risks of the Trust being used as a vehicle for money laundering by following the due diligence 'know your donor' principles set out in Chapter 2 of the Commission's Compliance Toolkit

If reporting fraud or theft it may be helpful to refer to the Commission's Fraud and Theft Reporting Checklist

Fraud and theft information checklist

There is no minimum loss figure that should be reported – it needs to be decided whether incidents are serious enough to report, in the context of our charity and its income, taking account of the actual harm and potential risks posed.

However, the higher the value of the loss, the more serious the incident is likely to be, indicating it should be reported. Other factors that are likely to indicate seriousness include:

- where the person accused of taking the funds/assets is involved in the charity, particularly if he/she holds a senior position, for example Co-CEO or has responsibility for financial management, Treasurer on board of trustees etc.
- where the person accused is involved with other charities
- numerous incidents have taken place that appear connected, indicating a pattern or trend
- a single incident has been committed repeatedly over a long period of time
- a number of separate incidents have occurred over a short period of time
- the funds lost/at risk are from a public appeal, collection or grant funding
- where there are signs of public interest, such as significant media reporting
- where the charity has had to take serious action against an individual, such as disciplinary action, investigation or suspension

'Low value' incidents can pose serious risks - they may be a sign that individuals are trying to avoid detection. Repeated or frequent incidents can be symptomatic of weak financial controls and poor governance, leaving a charity more vulnerable to fraud, theft or cybercrime. Therefore, if there have been repeated incidents of low value fraud, theft or cybercrime in the Trust, the ESFA would expect this to be reported.

If the Trust decides that an incident is not serious enough to report, it's still important that the situation is handled appropriately and reasonable steps are taken, perhaps by tightening

financial controls and procedures, to ensure it doesn't happen again. For further advice on improving our charity's financial controls see <u>Internal financial controls for charities (CC8)</u>.

Unverified or suspicious donations

While the vast majority of donations to charities will be made in good faith, charities can be abused by donors in a number of ways. Examples of this include <u>money laundering</u> but may also include use of donations to dispose of the proceeds of crime or to avoid/evade tax.

Our Trust should act with due diligence and be mindful of donations to the charity from sources that cannot be verified, or we may be in breach of our duties under the Finance Act 2011. This means ensuring appropriate checks are made before accepting any unverified, anonymous or suspicious donations. The Trust will also need to keep records of substantial donors and transactions, in order to avoid a tax liability.

Be alert to unusual donor activity, such as a large, one-off donation or a series of smaller donations from an unfamiliar, unverified or anonymous source; donations may take forms other than money, for example shares or goods.

As a guide, trustees should report unverified or suspicious donations totalling £25,000 or more, providing the assurance outlined above that appropriate checks have been made before accepting/declining the donation.

However, remember that in the case of incidents under £25,000, we should use our own judgement to decide whether it's serious enough to report, taking into account all the relevant factors.

For more information on donations and verification, see <u>Chapter 2 of the Commission's</u> Compliance Toolkit: due diligence, monitoring and verifying the end use of charitable funds.

If the Trust is concerned about other suspicious financial activity connected to the charity's funds this should be reported. This might include requests from third parties to:

- cash a cheque for a large sum of money
- convert large quantities of cash into another currency
- pay a fee to release funds to be donated to the charity

Other significant financial loss

The Trust should report any significant financial loss due to other causes, where this threatens the charity's ability to operate and serve its beneficiaries, or where the charity's financial reserves are not sufficient to cover the loss. For example:

- significant fire, flood or storm damage destroying or seriously damaging the charity's main premises
- having to abandon property, for example in a war zone overseas
- losing a court case and having to pay substantial legal fees or damages out of charity funds; charities incurring costs through routine litigation, undertaken in line with charitable aims and on behalf of beneficiaries, are not expected to report
- loss of significant institutional donors, public funding or key delivery contracts that threatens the charity's ability to operate and being unable to replace these in order to ensure the charity's survival
- significant financial penalties for breaches or non-compliance imposed by HMRC, Financial Conduct Authority, HSE, ICO, Fundraising Regulator or other regulators

For guidance, see <u>Managing a charity's finances (CC12)</u> and <u>Charity governance, finance and</u> resilience: 15 questions trustees should ask.

As a guide for this type of incident, the Charity Commission would expect charities to report any loss of funds or property with a value:

- totalling £25,000 or more, or
- totalling less than £25,000 but which is in excess of 20% of the charity's income

For amounts lower than the above, the Trust should decide if they are significant and should be reported, taking the charity's income, work and other factors into account. For example, damage to the charity's main premises might be valued at less than £25,000 or 20% of the charity's income but it might prevent the charity from delivering vital services to beneficiaries so may be reportable.

The Trust does not need to report financial loss such as a decrease in the value of investment funds, impairments, asset write-downs, pension deficits and bad debts, unless they pose a significant threat to the solvency of the charity. Remember, when reporting to the ESFA, the Trust should state what happened, the nature of the risk and the steps being taken to deal with the incident.

Links to terrorism and extremism

These types of incidents include discovering that someone within or connected to the charity does business with, or has links to, terrorist groups, or is subject to an asset freeze; also, where property has been stolen by terrorist groups, or charity money, personnel or other assets used to support terrorist activities.

The Trust should report to the ESFA if it becomes aware of allegations being made, or has evidence to suspect that:

- the charity (including trustees, members of staff, volunteers or anyone connected with the charity) has known or alleged links to a proscribed (banned) organisation or other terrorist/ unlawful activity
- someone within or closely connected to the charity, or one of our delivery partners, is placed on a UK or international terrorist list or is subject to an asset freeze
- charity funds or assets have been used to pay bribes, protection money or ransoms
- charity funds or assets have been used/ diverted (perhaps via a delivery partner) to support a terrorist group or for other terrorist purposes
- the charity has been used to circumvent asset freezing measures
- charity personnel have been kidnapped or harmed by terrorist groups, including overseas, when representing the charity or carrying out charity work

For more information about how to protect charities from terrorist activity, see chapter 1 of the <u>Commission's Compliance Toolkit</u>, <u>protecting charities from harm</u>.

A list of proscribed (banned) organisations can be found on GOV.UK.

The Trust should also be aware of the risks of being abused for extremist purposes; for example, when carrying out activities and events involving guest speakers or when promoting literature and educational materials, perhaps via the charity's website and on social media. The Trust should report to the Commission if:

- we know or suspect that the charity's premises, or any of the activities that we run, have been misused as a platform for the expression or promotion of extremist views, or the distribution of extremist materials
- we become aware of media reports alleging that the Trust has been misused for such purposes, particularly if we believe these could have a significant negative impact upon the Trust's reputation

For detailed advice about protecting the charity from extremism and what extremism means, see chapter 5 of the <u>Commission's Compliance Toolkit</u>

Other significant incidents

A report should be made to the ESFA if:

- the Trust discovers that a trustee or a senior manager of the charity is disqualified in law
 from holding that position; for example, because they have an unspent conviction for
 fraud or theft, they are an undischarged bankrupt, they are on the sex offenders register
 or are disqualified as a director under company law. For an explanation of when a person
 is disqualified from acting as a trustee or senior manager, see the Commission's guidance
 on the <u>automatic disqualification rules</u>
- something has happened to force the Trust into insolvency or to wind up, for example unmanageable debts or reduced income streams
- our Trust's operations are threatened because the main or only bank has withdrawn banking services, and the Trust cannot find another bank that will accept us.
- The Trust is subject to a police investigation or a significant investigation by another agency/regulator. Routine inspections by, for example, do not need to be reported to the ESFA, unless they have resulted in significant adverse findings that:
 - place the future of the charity in doubt, or
 - are likely to damage the Trust's reputation or public confidence in the Trust, or
 - relate to any of the other categories of serious incidents set out in this guidance
- The Trust has experienced major governance problems, such as mass resignation of staff or trustees, or other events, leaving it unable to operate
- The Trust's trustees or employees are the subject of criminal proceedings, in connection with the charity or their role in it
- we discover that there has been a significant data breach or loss within the Trust
- we discover that an incident has occurred involving one of the Trust's partners in the UK
 or internationally, which materially affects our charity, its staff, operations, finances
 and/or reputation, such that it is serious enough to be reported. Partners in this context
 includes the following and the people who come into contact with them through their
 work (such as their beneficiaries, staff and volunteers):
- a delivery partner of the charity
- a subsidiary trading company of the charity
- an organisation that receives funding from the charity
- another charity or organisation that is linked to our Trust, for example as part of a federated structure

Find out more information on reporting serious incidents involving partners

How to report

Serious incidents should be reported internally within the Impact Multi Academy Trust using the Serious Incident Reporting Form (SIRF), which should be completed and returned to the Principal/Headteacher.

The Principal/Headteacher will report to the Co-CEO and Chair of LGB and Chair of the Trust Board as well as other key personnel and will determine to whom else the incident should be reported.

Reporting to ESFA – actions to take

If something does go wrong, the Trust should take immediate action to:

- prevent or minimise any further harm, loss or damage
- report the incident to the ESFA as a serious incident

- report it to the police (and/or other relevant agencies) if a crime is suspected or has been committed, and to any other regulators the charity is accountable to
- plan what to say to staff, volunteers, members, the public, the media and other stakeholders, such as funders
- 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

The Trust should complete the reporting form to ESFA (contained within the SIRF) in which we report what happened and explain how we're dealing with it, even if the incident has already been reported to the police or another regulator.

If the report is being made by a trustee, it is necessary to confirm that the trustee has authority to report on behalf of the trustee body.

It's important to provide enough detail in the report to give the ESFA a clear picture of what happened and when, the extent of any loss or harm, how the Trust is dealing with it and the possible next steps. It is not necessary to provide the names or any other personal details of any individuals involved in the incident in the initial report – the ESFA will come back to you if it needs this information.

Please read <u>Data protection</u>, <u>confidentiality and data sharing</u> below before submitting the report.

If there is a need to update the report

If, having submitted a report to the ESFA, the Trust becomes aware of any material changes to the facts that were reported, or any other significant developments, it's important that the ESFA is informed as soon as we become aware of these. This includes letting the ESFA know if individuals who were alleged to be responsible for wrongdoing are exonerated or the allegation was found to be false or groundless following further investigation by the charity, the police or another regulator/agency.

What happens next?

The ESFA will confirm receipt of the report and will provide an incident reference number in a confirmation e-mail. This number will be required to make an update on a report.

It will assess the nature and level of any risks and look at how the Trust is dealing with the incident, and may take steps to verify the details, for example by contacting the police. Once the ESFA has completed this assessment, it will advise of the outcome. It may come back to the Trust first if it:

- needs more information about the incident
- considers the Trust needs regulatory advice and guidance
- has to use its legal powers to protect the Trust and/or the people who come into contact with the Trust through its work
- requires the Trust to provide future, timely updates, for example on the outcome of an investigation
- needs to monitor our progress in dealing with the incident

Declaration in the annual return (to check if applicable for academy trusts)

As a matter of good practice, all charities, regardless of size or income, should report serious incidents to the Charity Commission or Principal Regulator (e.g. ESFA) promptly.

If the charity's income is over £25,000, the trustees must, as part of the annual return, sign a declaration confirming there were no serious incidents during the previous financial year

that should have been reported to the Commission/ESFA but were not. If incidents did occur, but weren't reported at the time, we should submit these before we file the Annual Return, so we can make the declaration.

Until all serious incidents have been reported, it is not possible to make this declaration, or complete the annual return, which is a statutory requirement under section 169 of the Charities Act 2011. It's an offence under section 60 of the Charities Act 2011 to provide false or misleading information to the Charity Commission, which includes through the annual return.

If trustees fail to report a serious incident that subsequently comes to light, this may be considered to be mismanagement, for example where the trustees have failed to manage the risks properly and breached their legal duties. This may prompt regulatory action, particularly if further abuse or damage has arisen following the initial incident.

Links: How to report a serious incident in your charity (last updated June 2019) https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity



IMPACT MULTI ACADEMY TRUST – SERIOUS INCIDENT REPORTING FORM [SIRF] [DRAFT]

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| | Status [R] Continuing risk. Facts finding not started, root causes not determined | | | | | | | | | |
| | Status [A] No immediate risk. Facts finding ongoing with interim control measures in place | | | | | e | | | | |
| | Status [G] Investigation completed. Facts finding completed and learning established at school | | | | | | | | | |
| | [2] INCIDENT CLASSIFICATION | | | | | | | | | |
| | Health & Safety | | | | Terrorism/Extremism | | | | | |
| | Premises | | | | Personnel | | | | | |
| |] Safeguarding | | | ☐ Other reputational risk (please state) | | | | | | |
| | Financial | | Uniq | ue scho | ool ref. number for this | | | | | |
| | Serious Data Breach | | | event: | | | | | | |
| | | | [3] R | REPORT | TING REQUIF | REMENT | | | | |
| | Compulsory | у | | | Addi | tional escala | tion if requi | red | | |
| | | | Director of Education (LBB) | | Business Manager/ Bursar | School DSL | Site/ Premises Manager | Trust HR Officer | Trust Manager/ COO/ Company Sec | |
| Head/ | Co-CEO | Chair of LGB and Chair of | | | | | | | | |
| Principal | Trust Board | Trust Board | | | OH Provider | Legal/HR advisors | Police | LADO/ Social Services | RPA | |
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| Name & Rol | [4] DETAILS OF PERSON REPORTING WITHIN SCHOOL/TRUST Name & Role: | | | | | | | | | |
| | | | | | | | | | | |
| School & Department: | | | | | | | | | | |
| Date & Time of Report: (when did the school/trust become aware of the incident?) | | | | | | | | | | |
| Contact Email / School Ext No: | | | | | | | | | | |
| | | | [5] |] INCID | ENT SUMM | ARY | | | | |
| Name of the | Affected Pe | rson(s): | | | | | | | | |
| Role/Year Group/Occupation (staff/visitor): | | | | | | | | | | |
| Date & time of the incident: | | | | | | | | | | |
| Location of the incident: | | | | | | | | | | |
| Date & time of contact with parents/carers: (if incident involves student) | | | | | | | | | | |

| What Happened: | |
|---|----------------------|
| (Include details from victim and witness statement, CCTV and photo evidences. Do not photograph the child's injuries but note them on a body map. Multiple witness statements may be included) | |
| Action Taken Immediately: | |
| (Include details of first aid, interim measures put in place) | |
| Description of Injury/Damage: | |
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| | |
| | EARNINGS ESTABLISHED |
| [6] L How and why it happened: | EARNINGS ESTABLISHED |
| How and why it happened: (List in chronological order; root cause analysis - establish initiating event from which all other causes or failings spring; establish underlying cause) | EARNINGS ESTABLISHED |
| How and why it happened: (List in chronological order; root cause analysis - establish initiating event from which all other causes or failings spring; | EARNINGS ESTABLISHED |
| How and why it happened: (List in chronological order; root cause analysis - establish initiating event from which all other causes or failings spring; establish underlying cause) | EARNINGS ESTABLISHED |
| How and why it happened: (List in chronological order; root cause analysis - establish initiating event from which all other causes or failings spring; establish underlying cause) Actions Taken | EARNINGS ESTABLISHED |

| recurrence: | | | | |
|--|--|---------------------------------|--------------------------------------|--------------------------------------|
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| | | | | |
| Was there media/social media | coverage of | | | |
| the incident or other reputation | onal risk? | | | |
| | | | | |
| What actions have been taken | (if any) to | | | |
| manage reputational risk? | (ii diiy) to | | | |
| (including any press release/sta | itement | | | |
| or communications) | | | | |
| | | | | |
| | [7] CHECKLIST OF | EVIDENCE / | ATTACHED | |
| Details | • • | Attached | N. A | File Name |
| 1. Photographs and/or CCTV f | ootage + | | | |
| 2. Investigation Report/Method | <u>.</u> | | | |
| 3. Relevant School Policies & | Procedures | | | |
| 4. Existing Risk Assessments | | | | |
| 5. Post-Accident/Incident Risk | | | | |
| 6. Correspondence from pare | | | | |
| 7. Enforcement Corresponder | | | | |
| 8. Training/Competency Reco | rds | | | |
| 9. Medical Records | * | | | |
| 10. Statements (victim and with | nesses) * | | | |
| 11. Maintenance Records12. Statutory Notification/Insulation | ranco company | | | |
| notification | тапсе соптрану | | | |
| 13. Others (please list): | | | | |
| + Photos or videos may be take sustained. Where there is any of the child are not to be taken. B * Mark all draft statements 'pri | concern relating to child words and comp | welfare or sa leted for case | feguarding issues es with physica | ues then photographs of al injury |
| [8] REPO | ORTING TO ESFA (to be | | y Co-CEO/Cha | ir of Trustees) |
| | Decisi | on making | eport to ESFA | |
| | | | report to ESFA | 4 |
| | | 110 | report to LSI7 | , |
| | Rationale (to be comple | eted for non- | reporting only | y) |
| | | | | |
| | [9] INCIDENT O | LOSURF [Sta | itus Gl | |
| [9] INCIDENT CLOSURE [Status G] As there are no residual issues to address, the CEO has authorized the closure of this incident: | | | | |
| Date: | | Time: | | |
| | | | | |

Actions to be taken to prevent a



SERIOUS INCIDENT REPORT FROM IMPACT MULTI ACADEMY TRUST

To be sent with covering letter to ESFA Academy.QUESTIONS@education.gov.uk

| Charity Name: | | | |
|---|--|--|--|
| Charity Number: | | | |
| Company Number: | | | |
| Contact Name: | | | |
| Role/position within organisation: | | | |
| Contact e-mail: | | | |
| Contact telephone number: | | | |
| Reference numbers and contact details | | | |
| (related to reports to other organisations) | | | |
| | | | |
| Are trustees aware of the incident? | | | |
| ☐ I can confirm that I have the authority to make a serious incident report on behalf of the trustees of the Impact Multi Academy Trust | | | |
| Date and time of the incident: | | | |
| What happened: | | | |
| Date the Trust became aware of the incident: | | | |
| How the Trust found out about the incident: | | | |
| What impact the incident has had on the | | | |

| Trust's beneficiaries (students, | |
|---|--|
| parents/volunteers), staff, finances, | |
| operations or reputation | |
| Relevant policies/procedures? | |
| (were these followed?) | |
| | |
| Steps the Trust has taken to deal with the | |
| incident | |
| | |
| Steps the Trust has taken to prevent similar | |
| incidents? | |
| | |
| Any actions taken by the Trust to manage | |
| communications regarding the incident | |
| (media handling, press lines or press release), | |
| if applicable? | |
| | |