

Serious Incident Reporting Policy

The Duke of Edinburgh's International Award Foundation

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Version: 3.0

Version control

Version	Date	Author	Notes
1.0	05 August 2019	Operations	Interim policy – pending approval by International Trustees.
2.0	May 2020	Operations	Updated to incorporate best practice and clarity on guidance.
3.0	October 2020	Operations	Updated to include new guidance on how to determine whether to report an incident to the Foundation.

Relevant policies

1. Safeguarding policy
2. Whistleblowing policy
3. Data protection policy

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1. Serious Incident Reporting Policy

- 1.1. The Duke of Edinburgh's International Award Foundation ('the Foundation'), as a registered charity in the UK, is obliged by UK law to report to the UK Charity Commission any serious incident, accident or potential claim that may have adverse impact on the organisation.
- 1.2. The Foundation requires all licensed Operators of The Duke of Edinburgh's International Award ('the Award') to report, as soon as possible, any serious incident, complaint and possible claim to the Foundation that may provoke significant adverse publicity or financial or legal liability for an Operator or the Foundation. Licensed Operators are required to keep the Foundation informed about the progress on any of these matters.
- 1.3. If a serious incident takes place that is associated with the Award, it is important that there is prompt, full and frank disclosure to the relevant authorities and regulator in the relevant country or jurisdiction.
- 1.4. If a reportable incident involves actual or alleged criminal activity, licensed Operators must also report it to the relevant law enforcement agencies in the country or jurisdiction where the incident(s) occurred. The obligation to report an incident to the Foundation in no way affects the obligation to report actual or alleged criminal activity to the relevant law enforcement agencies.
- 1.5. Operators should normally report to the Foundation once the relevant authorities have been informed.
- 1.6. The responsibility for reporting serious incidents to the UK Charity Commission on behalf of the Foundation rests with the Foundation's International Trustees.
- 1.7. The focus of the Serious Incident Reporting Policy ('SIR Policy') is to provide licensed Operators with guidance to determine what constitutes a serious incident, what to report, to whom and when. The primary purpose of the policy is to govern serious incident reporting within the International Award Association.

2. What is a serious incident?

- 2.1. A serious incident is an adverse event, whether actual or alleged, which results in or risks significant:
 - I. harm to one or more of the Award's beneficiaries, staff, volunteers or others who come into contact with a licensed Operator of the Award.
 - II. loss of the Foundation's or a licensed Operator's money or assets.
 - III. damage to the Foundation's property.
 - IV. harm to the Foundation, licensed Operator and/or the Award's work or reputation.
 - V. systems failure and technology failure leading to significant business impact.

3. Categories of serious incident

- 3.1. Any reportable incident should be fully risk-assessed, and a report should not be made if there is reasonable risk that doing so may cause further harm to the victim/survivors, or where due process and operation of the rule of law is not reasonably assured.
- 3.2. The categories for reporting serious incidents are very broad and are summarised as follows:
- I. **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 Operator through its work. Please refer to the Foundation's Safeguarding Policy for further guidance and requirements.
 - II. **financial crimes** – fraud, theft, cyber-crime and money laundering.
 - III. **large donations from an unknown or unverifiable source, or suspicious financial activity using the Foundation's funds.**
 - IV. **other significant financial loss.**
 - V. **major systems failure** – such as failure or major data breach with the Online Record Book, Award Community and Alumni platforms.
 - VI. **links to terrorism or extremism**, including 'proscribed' (or banned) organisations, individuals subject to an asset freeze, or kidnapping of staff or Award volunteers.
 - VII. **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 Operator.

3.4 The UK Charity Commission has produced a useful table to inform UK based charities on what to report in these scenarios. See [here](#).

4. Determining what to report to the Foundation

- 4.1 To determine whether or not an incident is reportable under the Foundation's SIR Policy, the incident should be evaluated to identify its seriousness based on the risk it presents of provoking significant adverse publicity and financial or legal liability for an Operator or the Foundation.
- 4.2 To identify if there is a significant risk in one or more area you should complete an analysis using the Award's 'tension triangle' outlined below. Analysis using the 'tension triangle' should be conducted using three key areas of consideration: **behaviour, proximity and reputation**. A significant risk in one or more area deems the incident reportable to the Foundation.



4.3 Below is a non-exhaustive list of questions specific to each key area which can be used to form part of your analysis.

4.3.1 Behaviour – questions and considerations:

- Does the actual or alleged incident reflect a breach of the volunteer Code of Conduct?
- Is the actual or alleged incident illegal in the jurisdiction?
- Is the actual or alleged incident illegal in the UK/under international law?
- Is the actual or alleged incident a result of negligence?
- What other factors need to be considered relating to the behaviour involved in the incident?

4.3.2 Proximity – questions and considerations:

- What is the relationship between the alleged or actual perpetrator and the licensed Operator or donor?
- Who is/are the human victim(s)? What is the relationship between the victim(s) and the licensed Operator or donor?
- Did the incident(s) take place during activity directly associated with the Award?
- What other factors need to be considered relating to the proximity of the incident to the licensed Operator or donor?

4.3.3 Reputation – questions and considerations:

- What is the potential for adverse publicity for the Brand?
- Is there a reputational risk for key stakeholder individuals or organisations?
- What other factors need to be considered relating to publicity connected to the incident?

- 4.4 Finally, the result of the triangulated evaluation or analysis should be cross-referenced against a risk-assessment on any potential risks of further harm to the victim(s)/survivor(s) associated with reporting the incident to the Foundation.

5. Who should report a serious incident?

- 5.1. The responsibility for reporting serious incidents on behalf of a licensed Operator to the Foundation is an obligation enshrined in Operator licenses, and rests with the licence signatory of the Operator:
- I. **National Award Operators or Operating Partners** - the Board of a National Award Operator or Operating Partner should be consulted and informed by the National Director or relevant Senior Manager before reporting to the Foundation. In practice, the National Director may report on behalf of the Board and licensed signatory.
 - II. **Independent Award Centre** – the obligation to report rests with the licence holder, typically a Principal or Director of the school or organisation licensed as an Independent Award Centre. In practice, the Award Coordinator should consult and inform the Senior Management Team of their organisation, before reporting to the Foundation. The Award Coordinator may report on behalf of the licence holder.
- 5.2. The responsibility for reporting serious incidents to the UK Charity Commission on behalf of the Foundation rests with the Foundation's International Trustees. The Foundation's Director of Operations is required to report all serious incidents to the International Trustee(s) with designated responsibility for safeguarding, serious incidents and their oversight.

6. To whom and when to report a serious incident

- 6.1. Licensed Operators must report an actual or alleged serious incident promptly. This means, it must be reported as soon as is reasonably possible after it happens, or immediately after the Operator becomes aware of it.
- 6.2. If a serious incident takes place, it is important that there is prompt, full and frank disclosure to the relevant authorities and/or regulator in the relevant country or jurisdiction.
- 6.3. If a reportable incident involves actual or alleged criminal activity, licensed Operators must also report it to the relevant law enforcement agencies in the country or jurisdiction where the incident(s) occurred. The obligation to report an incident to the Foundation in no way affects the obligation to report actual or alleged criminal activity to the relevant law enforcement agencies.
- 6.4. Licensed Operators should only report to the Foundation once the relevant authorities in the jurisdiction have been informed.

- I. **National Award Operators and Operating Partners** – should report any incident to a Global Operations Director in the first instance.
 - II. **Independent Award Centres** – should report any serious incident to the Operations Team in the first instance: operations@intaward.org
- 6.5. Serious incidents should be reported via a form which can be provided by your account management team upon request.

7. Complaints procedure

- 7.1. The SIR Policy and the associated serious incident reporting procedure are independent from and do not affect the Foundation's complaints procedure.
- 7.2. In the event that an incident constitutes a reportable serious incident, and a stakeholder also wishes to make a complaint to the Operator or Foundation in relation to the incident or the response to the incident, both the SIR Policy procedure and the complaints procedure should be pursued independently.
- 7.3. The complaints procedure, as set out in the *International Handbook for Award Leaders* (7th ed., 2019) is as follows:

The Award recognises that there will be occasions when someone wishes to complain about how activities are managed, how services are delivered or due to the conduct of an Award staff member or volunteer.

In the first instance, the complainant and Award Centre or National Award Operator must try to resolve the issue informally.

If this cannot occur, the following process should be followed:

- 1. The Foundation will designate a suitable member of staff to seek a resolution.*
- 2. The designated member of staff will acknowledge and confirm the complaint within 5 working days.*
- 3. The Foundation will seek to resolve the complaint within one month.*
- 4. Any outcome will be provided in writing to ensure that all are correctly informed and that any review or remedial action is carried out.*

If the complaint is not resolved and the complainant wishes to appeal, final resolution will be coordinated by the Foundation.¹

¹ The Duke of Edinburgh's International Award Foundation, *The Duke of Edinburgh's International Award Handbook for Award Leaders* (Seventh Edition, 2019), p 121.

- 1.1. Should you wish to make a complaint specifically about the SIR Policy and/or the associated serious incident reporting procedure, please contact a Global Operations Director.

8. Further information

- 8.1. For further information or to discuss any aspect of this policy, please contact your dedicated account manager.