

Name of Policy & Procedure: Managing Incidents & Serious Incidents
Status: Approved
Discussed with Board (*Governance & Quality Committee*): Sept 2017
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MANAGING INCIDENTS AND SERIOUS INCIDENTS POLICY

1 PURPOSE

- 1.1 This policy sets out the procedure for dealing with near misses, incidents, and serious incidents for Richmond Borough Mind (RB Mind).
- 1.2 The purpose of this policy is to ensure that risks associated with incidents are identified and managed in accordance with our policy and procedures.
- 1.3 Responding appropriately when things go wrong is vital to maintaining continual improvement for the safety of the services that we provide to our clients.

2 SCOPE

- 2.1 This policy outlines how we will handle near misses, incidents and serious incidents that may impact on RB Mind staff, volunteers, service users, or any other individual impacted by an RB Mind activity.
- 2.2 The document explains the appropriate course of action to be taken by RB Mind staff when managing, investigating and reporting incidents.
- 2.3 Incidents may arise both on RB Mind property, and in non RB Mind premises when services are operating in the community.
- 2.4 Any complaints raised should be managed using the Complaints Policy. If a complaint arises following an incident, the issue should be resolved by following the procedures of both policies.
- 2.5 If an incident is raised regarding inappropriate behaviour from a client, the Managing Challenging Behaviour Policy should also be referred to.

3 PRINCIPLES

- 3.1 RB Mind's incident management aims to uphold the following key principles:
 - **Client Centred** - The needs of those affected should be the primary concern when responding to and investigating incidents
 - **Open & Transparent** . We aim for openness and honesty to be maintained between RB Mind and all staff, clients, and their carers during an investigation, subject to the usual requirements of confidentiality
 - **Preventative** . The policy aims to take action to prevent similar incidents occurring again

- **Timely & Responsive** . Incidents must be reported without delay to the relevant person within RB Mind in accordance with this policy. Any required investigations and actions must also be completed as a matter of urgency
- **Proportionate** . Investigations and actions required should be proportionate to the incident, but subject always to any regulatory or legal requirements
- **Collaborative** . Incidents can involve several organisations. Organisations must work in partnership to ensure incidents are managed effectively.

4 DEFINITIONS

4.1 Incident

An incident is any event or circumstance which could foreseeably have resulted, or did result, in unnecessary damage, loss or harm, such as physical or mental injury, to a service user, volunteer, staff, visitor, member of the public, or RB Mind. This also includes near misses (a near miss is an event that does not cause harm, but one that has the potential to cause injury or ill health).

4.2 Serious Incident

A serious incident extends beyond a standard incident in terms of potential impact on an individual or the organisation. This is defined as:

- An incident when a service user, member of staff or volunteer, or member of the public suffers serious injury, major unexpected harm or unexpected death (or the risk of death or serious injury).
- Any event which is likely to cause significant public concern, or could seriously impact upon the delivery of services.

The circumstances below are examples of where a serious incident must be declared (this list is not exhaustive):

- Serious crime or violence to a service user, staff or member of the public
- Serious threats to service users, staff or members of the public
- Death or serious injury to service users, staff, volunteers or visitors
- When a service user is missing
- A major health risk occurs e.g. salmonella, legionella
- Media publicity that would result in serious consequences for the organisation or bring the organisation into disrepute
- Serious damage occurs to RB Mind property e.g. fire, flood, criminal damage
- An adult protection inquiry requiring investigation into an RB Mind member of staff or volunteer conduct or behaviour
- Loss of data which may cause significant impact on an individual or the organisation i.e. identity fraud
- Large scale theft or fraud occurs, or major litigation is expected.

(For information on Serious Incidents that must be reported to the Charity Commission see 8.5)

5 INCIDENT MANAGEMENT

5.1 The immediate responsibility for managing an incident falls to the most senior person in the area at the time the incident occurs, or is reported for the first time.

5.2 This individual is responsible for assessing the situation and deciding on the appropriate response. This includes making sure that those directly involved receive any immediate care required to minimise further injury.

- 5.3 Any actions taken must not compromise the safety of the member of staff or other involved individuals. Remember your safety comes first. It may be appropriate to leave to get help.
- 5.4 The needs of the involved individuals and any relatives/carers should be taken into consideration and communication should be maintained at all stages. This should include information on other sources of advice and support.
- 5.5 When a serious incident is suspected, the individual referred to in 5.1 above should contact the CEO or Deputy Manager as soon as possible. They will be able to advise on required actions including:
- Any additional immediate actions required
 - To secure all relevant records, including potentially taking statements
 - Ensure that arrangements are in place for additional support and communication for staff and service users.
- 5.6 Any incidents which are likely to attract media interest or cause public concern should be reported to the CEO as soon as possible who should then ensure that it is brought to the immediate attention of the Chair.

6 REPORTING INCIDENTS

- 6.1 All incidents must be reported as soon as possible to a Line Manager or the CEO/Deputy Manager. If your Line Manager or the CEO/Deputy Manager are not available, then it should be reported to another manager.
- 6.2 The member of staff reporting the incident must complete the Incident Reporting Form within a maximum of 48 hours. A manager should provide support to do this and may need to input into the report depending on the action required. Information required to complete a report includes:
- Date and time
 - Description of incident
 - All parties involved
 - Immediate action taken
 - Involvement of any external parties i.e. emergency services, safeguarding
- 6.3 It is important to note that Incident Reporting Forms could be used in a court as evidence. Consequently all information recorded must be purely factual, and not opinion.
- 6.4 Depending on the incident it may be appropriate to take statements from witnesses. If the witness is a service user they may refuse to write or give a statement. We must respect this wish; however, assurances should be given to them around support and confidentiality. Statements should be attached to the Incident Reporting Form.
- 6.5 All incident reports and supporting evidence should be uploaded onto Views within 5 working days of the incident.
- 6.6 All incident reports must be signed by either the Deputy Manager or CEO to establish if further action is required.
- 6.7 Incidents are to be reported to the Governance & Quality Committee as a standard agenda item.

7 INVESTIGATING SERIOUS INCIDENTS

- 7.1 Following a serious incident an internal review should be completed by the CEO or Deputy Manager. The purpose of the inquiry is to identify learning for the future.
- 7.2 Inquiries should be conducted in a way that is supportive of staff and which recognises that they may be emotionally distressed.
- 7.3 Outcomes of a review should identify:
- A factual chronology of the incident
 - To assess whether actions taken were in line with policy and procedure
 - To consider whether appropriate services were involved during and following an incident
 - To recommend potential appropriate actions to prevent future risks.
- 7.4 Investigations should be completed within one month and reported to the Chair within five working days of completion.

8 INCIDENTS WITH ADDITIONAL MANAGEMENT AND REPORTING ACTIONS

8.1 Serious Incidents

All actual or suspected serious incidents will be reported by the CEO or Deputy Manager to the Chair of the Board of Trustees immediately. The Chair shall raise the matter with the Governance and Quality Committee without delay, and the Governance and Quality Committee shall decide whether to recommend to the Board that the incident be reported to funders, commissioning bodies, the Charity Commission or any other bodies, calling an emergency meeting of the Board if necessary. The Full Board shall make the final decision as to whether such reporting is necessary.

8.2 Safeguarding

Incidents involving Child Protection Issues or Adult Safeguarding must be reported to the appropriate agencies in line with RB Mind's Child Protection Policy and Safeguarding Adults at Risk Policy. All suspected incidents relating to safeguarding must be handed over to the CEO or Deputy Manager, who will decide whether to report. Any member of staff can refer to safeguarding, however, they must be in a position to be able to follow the case through to completion.

8.3 Incidents of an illegal nature

All incidents involving theft of property, criminal damage or assault on a client, volunteer, member of the public or staff must be reported to the police.

If you witness such an incident dial 999 immediately or get a colleague to do so. Never wait until the incident is over.

If the police are called into a project, staff will need to ensure that the situation is explained to service users and that they are given support and reassurance.

The police should not interview people who are vulnerable through mental distress without an appropriate adult being present.

If such incidents are not reported, RB Mind's public liability and property insurance could be invalidated, even if there is no intention to make a claim. Not contacting the Police could result in the rights and interests of other service users, volunteers or members of the public being infringed upon.

If a staff member feels there are exceptional circumstances which make it inadvisable to inform the police of an incident, they should discuss these with their line manager immediately.

8.4 **RIDDOR Reporting**

All deaths to workers and non-workers, with the exception of suicides, must be reported to the Health and Safety Executive (HSE) if they arise from a work-related accident, including an act of physical violence to a worker.

Information on the need to report some serious workplace incidents, occupational diseases and specified dangerous occurrences can be found at:

<http://www.hse.gov.uk/riddor/reportable-incidents.htm>

8.5 **Reporting to the Charity Commission**

The Charity Commission has its own definition of **Serious Incident**, which differs from the definition given in paragraph 4.2 above. References to Serious Incidents (capitalised) in this policy shall be to the incidents that fall within the Charity Commission definition of Serious Incident.

Information on the Charity Commission's definition of Serious Incident and how to report it can be found at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/375979/Reporting_Serious_Incidents_LowInk.pdf

All suspected Serious Incidents must be reported to the Chair of the Board of Trustees immediately. The Chair shall raise the matter with the Governance and Quality Committee without delay. The Governance and Quality Committee shall consider the matter and report to the board as to whether they consider it to fall within the definition of Serious Incident. The Board shall have the final say on the matter.

All Serious Incidents must be reported to the Charity Commission. If a Serious Incident is not reported, the Charity Commission may consider this to be mismanagement and take regulatory action. If RB Mind is unsure whether an incident qualifies as a serious incident, the Charity Commission recommends that the trustees report the incident to them anyway.

The Charity Commission considers an incident a Serious Incident when it results in, or risks, significant:

- loss of RB Mind's money or assets
- damage to RB Mind's property
- harm to RB Mind's work, beneficiaries or reputation.

Examples of Serious Incidents include:

- fraud, theft or other significant loss
- a large donation from an unknown or unverified source
- links to terrorism or to a banned organisation or terrorist or unlawful activity
- suspicions, allegations or incidents of abuse of vulnerable beneficiaries
- any actual or suspected criminal activity within or involving RB Mind
- any investigation of RB Mind, or individuals associated with RB Mind (in connection with their role) by the police or another regulator for any reason
- any incident that RB Mind reports to the police or other statutory agency (unless it is a technical or minor issue that poses little or no risk).
- a disqualified person acting as a trustee
- not having a policy to safeguard your charity's vulnerable beneficiaries
- not having ~~setting~~ procedures in place to check your prospective trustees, volunteers and staff are eligible.

9 PROVIDING SUPPORT

- 9.1 All staff affected by an incident will receive support and advice from their line manager. The line manager must offer a debriefing meeting to support affected members of staff following a serious incident.
- 9.2 As part of the debriefing process the line manager must ensure that all staff are aware of how to seek additional support from RB Mind§ Employee Assistance Programme.
- 9.3 Service users can also be affected by incidents. They should also be offered appropriate support and asked if anyone else should be informed or involved. Support plans may need to be reviewed as a result.
- 9.4 It should also be considered if a carer or family member should be contacted in order to provide additional support to the service user, or to the carer themselves.

10 EQUALITY AND DIVERSITY

- 10.1 This policy must be applied consistently and in line with RB Mind§ Equality and Diversity Policy.

11 MONITORING AND REVIEW

- 11.1 Risk management is everyone§ responsibility. Consequently identifying and reviewing risks should be discussed regularly with all members of staff during supervision.
- 11.2 Incidents should be explored, when they occur, at monthly Service Lead meetings and weekly Senior Management Team meetings in order to promote a culture of learning and improvement. This is in addition to the more urgent reporting requirements set out in this policy.
- 11.3 All services are to undertake a comprehensive risk assessment review of incidents or potential incidents, at least every quarter and following any serious incident or potential serious incident.
- 11.4 The Operations Manager will be responsible for ensuring that Incident Reporting Forms are completed and actioned appropriately.
- 11.5 The CEO will be responsible for producing procedures for monitoring and review.

RELEVANT POLICIES

- Accident Policy
- Child Protection Policy
- Communications Policy
- Complaints Policy
- Confidentiality Policy
- Data Protection Policy
- Disciplinary Policy
- Disclosure of Information Policy
- Equality and Diversity Policy
- Finance Procedures

- Grievance Policy
- Health and Safety Policy
- Information Governance Policy
- Lone Worker Policy
- Managing Challenging Behaviour Policy
- Safeguarding Adults at Risk Policy
- Sickness and Absence Policy
- Suicide Protocol
- Whistleblowing Policy

Appendix A

**RB Mind Witness Statement
CONFIDENTIAL**

Incident details:

Brief details of incident:		Incident date:
Name of staff investigating incident:	Job title:	

Witness statement details:

First Name:	Surname:
Identity (i.e. service user, carer, staff role):	
Address:	Phone number:
Email:	

Details of person taking witness statement

First Name:	Surname:
Job title:	
Reason for statement being completed:	Date completed:

Witness statement

<p><i>(continue on a separate sheet if necessary)</i></p> <p>Does the witness feel that any other individual should be contacted regarding the incident? <i>(If yes, please include individual's name, contact details and involvement with incident)</i></p>

This statement is true to my knowledge and belief.

Print name: ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ .Signature: Date:

Appendix B**RB Mind Incident Reporting Form
CONFIDENTIAL****Primary person(s) affected** *(Leave blank if no persons affected)*

First name:		Surname:	
Identity (i.e. service user, carer, staff role)			
Address:		Phone number:	
Email:			

Person(s) believed to be responsible *(Leave blank if not applicable)*

First name:		Surname:	
Identity (i.e. service user, carer, staff role)			
Address:		Phone number:	
Email:			

Details of person completing form

First name:		Surname:	
Job title:			

Type of incident *(refer to policy if unsure)*

Incident	<input type="checkbox"/>
Serious Incident	<input type="checkbox"/>

Nature of incident *(please tick all that apply)*

Safeguarding	<input type="checkbox"/>	Financial (fraud/theft)	<input type="checkbox"/>
Aggressive behaviour (physical)	<input type="checkbox"/>	Criminal offence	<input type="checkbox"/>
Aggressive behaviour (non-physical)	<input type="checkbox"/>	Theft of property	<input type="checkbox"/>
Self-harm	<input type="checkbox"/>	Physical injury	<input type="checkbox"/>
Suicidal thoughts	<input type="checkbox"/>	Data loss	<input type="checkbox"/>
Substance misuse	<input type="checkbox"/>	Health risk i.e. legionella	<input type="checkbox"/>
Missing individual	<input type="checkbox"/>	Damage to property	<input type="checkbox"/>
Death	<input type="checkbox"/>	Damage to RB Mind's reputation	<input type="checkbox"/>
Other (please state):	<input type="checkbox"/>		<input type="checkbox"/>

Description of the incident

Your description should be as full as possible. Please state only FACTS, not opinions.

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When and where the incident took place

Location:	RB Mind service(s):
Address:	
Date:	Time of incident: (24 hour clock)

Witness(es) to the incident

Surname:	First name:
Identity (i.e. service user, carer, staff role):	
Address:	
Contact number(s):	
Surname:	First name:
Identity (i.e. service user, carer, staff role):	
Address:	
Contact number(s):	
If witness statements are required, list the names of individuals to request statements from:	

Cause of incident (including any relevant events leading up to the incident)

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Immediate actions taken (to reduce impact of incident and/or risk of reoccurrence. Include who took actions)

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Details of any external agencies involved (include staff names, contact details, advice given and actions taken)

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