

Serious Incidents Policy

Merton Music Foundation

Purpose

Merton Music Foundation (MMF) is committed to the highest standards of transparency, probity, integrity and accountability. The Foundation aims to ensure risks associated with serious incidents are robustly mitigated, however it recognises that sometimes things do go wrong. This policy sets out MMF's approach to identifying, managing and reporting serious incidents in line with the organisation's values and statutory obligations.

Scope

This policy applies to all trustees, employees, volunteers and contractors (including instrumental/vocal tutors) working on behalf of Merton Music Foundation. It covers incidents occurring across all MMF's activities, programmes, locations and back-office procedures, including IT. All individuals covered by this policy have a responsibility to report any potential serious incident promptly, as set out in this document.

Definition

The Charities Commission defines a serious incident as an adverse event, whether actual or alleged, which results in or risks significant:

- harm to the charity's beneficiaries, staff, volunteers or others who come into contact with the charity through its work
- loss of the charity's money or assets
- damage to the charity's property
- harm to the charity's work or reputation

The guidance defines "significant" as meaning: 'significant in the context of your charity, taking account of its staff, operations, finances and/or reputation'.

Roles and Responsibilities

Trustees

The Board of Trustees has ultimate responsibility for ensuring serious incidents are managed appropriately and reported as required. The Chair of Trustees will usually act as the primary contact for serious incident matters; however the Deputy Chair or other members of the board may deputise in place of the Chair, if required.

Chief Executive

The Chief Executive has overall responsibility for the day-to-day implementation of this and the Foundation's other policies and will usually be responsible for assessment and coordination of the Foundation's initial response to a serious incident.

All Staff, Tutors and Volunteers

All adults working for or on behalf of the Foundation must report any suspected serious incidents immediately to the Chief Executive.

Internal Reporting Processes

Parents/guardians, pupils and visitors are encouraged to report any potential serious incidents to the Foundation by contacting 020 8640 5446, admin@mmf.org.uk or speaking to a member of the team as soon as possible.

Core Staff, Tutors, stewards & volunteers should report potential serious incidents to the Chief Executive immediately upon becoming aware of them.

A report should include:

- Date and time of the incident
- Location
- Persons involved
- A description of the incident
- Immediate actions taken
- Confirmation of any immediate risks

Assessment and Initial Response

The Chief Executive, or another member of the Senior Leadership Team acting on their behalf, will assess the situation and coordinate the Foundation's initial response.

This will include assessing whether the incident meets the threshold for serious incident reporting, considering: severity of actual or potential harm, vulnerability of those affected, likelihood of recurrence, regulatory implications, and reputational risk.

Incidents will be classified as either requiring immediate external reporting (e.g. to the police), requiring internal investigation before external reporting, or not meeting the serious incident threshold.

Where an incident is deemed not to meet the threshold for serious incident reporting, a record will be created and saved in the SLT drive for monitoring.

Action & Decision Log

The Chief Executive, or a senior member of staff acting on their behalf, will be responsible for establishing and maintaining an Action & Decision Log (ADL). The ADL is used to record the time and date of all key events, decisions and actions taken in relation to the serious incident for the purpose of future reporting. It should be kept updated throughout the period of the incident and the Foundation's response.

Music Centre Lockdown or Evacuation

In the event of a serious incident requiring the immediate lockdown or evacuation of one of MMF's music centre sites, the Emergency Evacuation or Lockdown Procedure (Draft) should be implemented.

Disaster Recovery

Where a serious incident poses a significant threat or disruption to MMF's operations, the Foundation's (Draft) Disaster Recovery Plan (DRP) should be implemented.

Reporting to Trustees

The Chief Executive will report all confirmed or suspected serious incidents to the Chair of Trustees within 24 hours of becoming aware and provide written summary to all Trustees within 7 days.

The Chief Executive's summary will include:

- Incident details
- Initial assessment
- Immediate actions taken and proposed next steps
- Any other relevant information, including potential regulatory implications

Statutory Reporting Duties

As a charitable company limited by guarantee, MMF trustees should report any actual or alleged serious incidents to the Charities Commission promptly and are required to declare that all serious incidents have been duly reported as part of the Trustees' Annual Report.

In addition, certain incidents must be reported to other bodies:

- Incidents involving crime or unlawful behaviour must be reported to the Police
- Accidents involving the death of any person, any accident that results in specified injuries to workers, any accident that requires hospital treatment to non-workers, instances of certain work-related diseases, and/or any 'dangerous occurrences' must be reported to the Health and Safety Executive within 10 days of the incident (or 15 days of the incident if resulting in the over-seven-day incapacitation of a worker), as set out in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) (2013)
- Any concern that a child is suffering or likely to suffer significant harm must be reported to Merton Children & Families Hub, in line with the Foundation's Child Protection & Safeguarding policy and as set out in Keeping Children Safe in Education (KCSIE)
- Safeguarding concerns relating to staff that meet the harm threshold must be reported to the Local Authority Designated Officer (LADO), in line with the Foundation's Child Protection & Safeguarding policy and as set out in Keeping Children Safe in Education (KCSIE).
- Personal data breaches which are likely to pose a risk to people's rights and freedoms must be reported to the Information Commissioner's Officer (ICO) within 72 hours, as set out in the UK GDPR and Data Protection Act (2018).
- Incidents involving fraud or cyber crime must be reported to the National Fraud & Cyber Crime Reporting Centre: Action Fraud.

Reporting to Other External Bodies

In addition to its statutory responsibilities, the Foundation should also consider if an incident need be reported to any other external bodies, including funders.

Reporting requirements, both obligatory and in the interests of transparency, should be considered in relation to:

- Southwest London Music Ltd (SWLM): Hub Lead Organisation for London Southwest
- Arts Council England (ACE): fundholder for Music Hubs programme
- Merton Council
- Merton schools
- Department for Education (DfE)

Press Protocol

Where a serious incident draws media attention, the Chief Executive will be responsible for coordinating the Foundation's response and deciding what information should be shared.

Information should be shared in line with the Foundation's values and the principle of transparency, whilst protecting the privacy and rights of individuals and with due consideration to commercially sensitive information and any reputational risk.

In drafting any statements to the press, it may be necessary to include the following information:

- What has happened
- Where and when the incident took place
- Whether there is continuing danger
- Subsequent action taken by the Foundation
- Name/age/year group of persons affected (if applicable)
- Whether it has been possible to contact the family of those involved (if applicable)

Investigation and Follow Up

Following the initial report and incident response, a thorough internal investigation should be conducted to establish facts, identify causes and determine appropriate remedial actions.

The scope and methodology of the investigation will be determined by the Chief Executive and Chair of Trustees with input from the Board and senior leaders and will be proportionate to the seriousness of the incident.

For more complex or sensitive matters, or incidents involving the Chief Executive and/or Chair of Trustees or any potential conflicts of interest, external third party investigators should be appointed.

Trustees will be kept informed of updates relating to the investigation and provided with a final report of its outcome and any recommendations.

Every serious incident must inform future practice, with learnings implemented into daily processes and organisational policy to inform future planning and risk management.

Record Keeping

All serious incident reports, assessments, investigations and correspondence with external bodies should be recorded in the Serious Incidents folder, which is accessible to senior leaders and Trustees. Where incident details include confidential information or personal data of parents/pupils, this will be stored securely by the Chief Executive with appropriately redacted or pseudonymized document versions shared as appropriate with other members of staff and/or the Board of Trustees.

Records will be retained in accordance with regulatory requirements and the Foundation's draft Data Retention Policy.

Serious Incident Response Workflow

- Incident identified and reported to Chief Executive
- Chief Executive undertakes assessment of situation and initiates initial response
- Serious Incident confirmed, ongoing response coordinated by Chief Executive / SLT
- Action & Decision Log started
- Chair of Trustees notified within 24 hours
- Written summary provided Board of Trustees within 7 days
- Notification of external bodies actioned, as required
- Investigation and follow up completed
- Mitigations put in place to prevent reoccurrence
- Final report provided to Trustees and any external bodies
- Records filed for posterity and monitoring

Policy Review

This policy will be reviewed every two years by the Board of Trustees, or sooner if required by changes in legislation, guidance or following significant incidents.

October 2025