

**Cancer Research UK response to the Charity Commission consultation on reporting Serious Incidents – updates to guidance and reporting regime  
12 January 2017**

Cancer Research UK is the largest fundraising organisation in the UK. We receive no Government funding for our research and our ground-breaking work is therefore only possible because of the generosity of the public. Last year, we spent £432 million on research in institutes, hospitals and universities across the UK, funding over 4,000 researchers, clinicians and nurses. Our ambition is to accelerate progress to see three in four patients survive cancer by 2034.

Cancer Research UK is committed to best practice in charity governance and fundraising operations. We're dedicated to creating a positive experience for all of our supporters and are moving to a system of opt-in for all our fundraising communications to put their wishes at the heart of what we do. We welcome steps taken by regulators to improve the clarity and consistency of their guidance to ensure best practice across the sector. We consider this crucial to build public trust and for the future sustainability of the sector.

We welcome the opportunity to respond to the Charity Commission's updated guidance on reporting serious incidents. CRUK has in place rigorous processes for identifying serious incidents and anonymous donations and reporting these to the Charity Commission. We support the revisions which we believe add further clarity over what to report and how. Our specific comments to the questions posed by the commission are as follows:

**1. Have you used the current web version of 'How to report a serious incident' before?**

Yes

**2. Overall is the new, revised guidance helpful? If not, please state why.**

- The revised table of contents with clearer 'how' and 'what' to report headings and sub-headings is very helpful. **When to report** is included in the body of the document however for ease of use we would suggest including as a separate heading in the table of contents also.
- **Page 2** - Sub-numbering of headings would be useful i.e. 1.1 Who Should Report? 1.2 Why must you tell the Commission, to assist in locating different sections within the document.
- **Page 4** - The 'reporting checklist' is helpful; it would be useful to amend the fourth bullet point ask the following: 'What happened, how was it discovered, and when the Charity first became aware of it.'
- **Page 5** - The facility to forward to the Commission a copy of a report made to another regulator/agency to fulfil the obligation to also report to the Charity Commission is helpful. It should serve to reduce administrative burden on charities, avoid duplication and increase consistency of reporting.
- **Page 6 - 2.4** - 'What happens after I have reported it?' This section is clearer than in previous guidance. It is particularly helpful to know that the Charity Commission will contact the Charity if it requires further updates on a reported incident. In the current guidance it is not clear how often to update the Charity Commission on the progress of an investigation into an incident reported to another regulator.
- **Page 7** – 'What to report?' - It would be useful to set out the main categories of reportable incident in a table similar to the 'reporting checklist' on page 4.
- Annex 1 – examples table – this is very useful.

**3. Is the section on multiple reporting helpful?**

Yes, currently we report all incidents individually. The facility to submit periodic (bulk reports) and to adapt internal board reports for this purpose will be helpful in reducing the administrative burden on charities and avoiding duplication and should encourage reporting.

**4. Do you agree that the following should be removed, on the basis that they're risks rather than serious incidents:**

- a) the charity has no vetting procedure to ensure that trustees or charity staff are eligible to act in the position they are being appointed to*
- b) the charity does not have a safeguarding policy in place*

Yes- the safeguarding policy is covered in the annual report and we consider this an effective way to remind charities regarding the importance of having a policy in place.

**5. Do you consider the criteria for reporting safeguarding incidents to be clear and do you understand the distinction between the Commission's remit and that of other statutory agencies?**

Yes the distinction between the Commission's remit and that of other statutory agencies is set out clearly in the document.

**6. Do you agree with the inclusion of new examples in the guidance around incidents of significant financial loss, for example :**

Yes these examples are helpful.

**7. Do you agree with the inclusion of new examples in the guidance around forced insolvency/ winding up of a charity/withdrawal of banking services? If not, why not?**

Yes these examples are helpful.

**8. Are there other types of common incidents that should be reported to the commission and should be included in the guidance?**

No – based on our recent experience I cannot suggest any additions.

**9. In the new version, is the explanation of trustees' responsibilities clear and easy to understand, in particular:**

- a) is it clear what a 'serious incident' means?*
- b) is it clear what trustees should do in order to report a serious incident?*
- c) do you understand the difference between fraud and theft, and how to report each?*

In general it is clear what a serious incident means and the examples in the annex are useful. The advice 'if in doubt, report it' is also helpful. It is clear what trustees should do in order to report a serious incident. The difference between fraud and theft is also clear.

**10. Are the new information checklists helpful?**

Yes, these checklists are a helpful guide to the information to include in an incident report to the Charity Commission.

**11. What, if anything, did you find unclear or unhelpful in the new guidance – how could this be better presented?**

- Sub-numbering within paragraphs would be useful to help locate specific paragraphs;
- Numbered tables setting out the checklist of what to report and what details to provide when reporting would be helpful, again to locate specific paragraphs more easily.
- The guidance is still rather long. A link on the website containing both the above tables only would be helpful – those who need more information could consult the longer document.

*For more information please contact:*

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