

SIGNIFICANT RISK AND CRITICAL INCIDENT NOTIFICATION PROTOCOL

INTRODUCTION

1. Purpose

- 1.1 The purpose of this protocol is to set out a procedure for subsidiaries for the notification and escalation of significant risks and critical incidents to the University. To provide the steps that must be taken by a University subsidiary to notify and escalate such risks and incidents (as appropriate) that occur within their organisation.
- 1.2 This protocol shall cover the escalation of those risks or incidents that do not trigger an organisation's crisis response plan and will provide a systematic approach to reporting significant risk or a critical incident to the University. 'Risks' in this context will include, but not be limited to, risks identified in the subsidiary's and/or the University's formal Risk Register. This protocol links to, but is separate, from the protocol for the management of Reportable Events to the University and as appropriate to the Office for Students (OfS) and is in addition to a subsidiaries governing documents and any governance agreement (if any) with the University.

2. Scope

- 2.1 This protocol applies to all University subsidiaries within the subsidiary Group. This escalation procedure is not intended to replace routine incident management and reporting to an organisations relevant Committee or Board, rather it is designed to apply in circumstances when a subsidiary reasonably considers there to be a significant risk to their organisation and/or the University Group where an integrated response maybe required to manage the issue and/or mobilise Group resource to maximise mitigation and reduce the likelihood or impact of the risk or incident.
- 2.2 This protocol is also designed to allow the University Group as a whole to learn from such risks and incidents, in order to prevent their recurrence.

3. Aims of the Protocol

- 3.1 This protocol sets out the steps which a subsidiary should follow in respect of notifying the University of a significant risk or critical incident affecting itself and/or the University Group.
- 3.2 The aim of the protocol is to enable the University and its subsidiaries to:
 - (a) facilitate communication in a transparent manner that will at all times be dealt with in absolute confidence;
 - (b) understand and properly identify the issues and share information and relevant documents;
 - (c) make informed decisions as to whether and how to proceed;
 - (d) try to manage or minimise the effects of a risk or incident; and
 - (e) support the efficient management and mobilise resource (if required) in response.

4. Procedure

- 4.1 What constitutes a significant risk or critical incident?

“Significant Risk” may be defined as the strong possibility of something happening or an event or circumstance which could have, or will lead to unintended and/or unnecessary harm to a person and/or organisation and/or University Group and/or will have an impact on organisational objectives or is likely to become a matter of significant concern to students, employees, the University, stakeholders (including the OfS, ESFA and DfE) or other third parties.

“Critical Incident” may be defined as any event which threatens to severely disrupt (in whole or in part) the functioning of a faculty, school, service, the subsidiary and/or University Group as a whole, and/or which carries the risk of significant adverse publicity.

4.2 The considerations that will influence the identification, notification and/or escalation of a risk or incident to the University will include, but is not limited to, the following:

- Where an incident is reasonably considered to be major or extreme
- Where the incident has resulted in death and/or serious harm
- Where an incident results or may result in public safety concerns for staff, students or others
- Regulatory investigation and/or sanction by regulators
- Material events with possible significant and immediate threats to financial viability or sustainability
- Becoming aware of suspected or actual fraud or financial irregularity
- Becoming aware of legal or court action
- Reputational threats
- Where the incident is a ‘Reportable Event’ to the Office for Students

4.3 As soon as the subsidiary reasonably considers there to be a significant risk or critical incident to report it will notify the University in accordance with paragraphs 4.4 and 4.5 below and in any event within 24 hours (irrespective of the working week).

4.4. The Accountable Officer (or (if applicable) the CEO/Managing Director and Chair of the relevant Board) for the subsidiary will be responsible for promptly notifying the Vice Chancellor, Deputy Vice Chancellor and/or Registrar of the significant risk or critical incident.

4.5 This prompt notification will be in addition to any notice provided by the Accountable Officer (or (if applicable) the CEO/Managing Director and Chair of the relevant Board) to the Clerk, Company Secretary or Chair(s) of any relevant Committee or Board of the subsidiary pursuant to paragraph 4.6.

4.6 Any notification should include the following information (see **Appendix 1**):

- a brief outline of the risk or incident;
- the identity of the parties involved;
- if possible, a general indication of the likely consequences/outcome; and
- the extent to which the issue is also potentially a ‘Reportable Event’ in the context of OfS Regulatory Advice Statement 16 and the Reportable Events Protocol viz *any event or circumstance that, in the judgement of the OfS, materially affects or could materially affect the provider’s legal form or business model, and/or its willingness or ability to comply with its conditions of registration. [OfS 2019.40, para. 8]. See Reportable Events Handbook.*

APPENDIX 1

SIGNIFICANT RISK AND CRITICAL INCIDENT NOTIFICATION FORM

Complete this form and email it to:

- Vice Chancellor g.e.holmes@bolton.ac.uk
- Deputy Vice Chancellor k.r.kandadi@bolton.ac.uk
- Registrar s.duncan@bolton.ac.uk

Notification of Significant Risk & Critical Incident To be completed by the Accountable Officer	
Date of incident:	
Place of incident:	
Name and contact details of person reporting incident (email, address, telephone number):	
Brief description of risk or incident:	
Identity of the Parties involved:	
Number of people affected, if known:	
Brief description of any action taken at the time of discovery:	
What are the likely consequences/outcome of the risk or incident:	
Is this potentially a 'Reportable Event' ie. any event or circumstance that, in the judgement of the OfS, materially affects or could materially affect the provider's legal form or business model, and/or its willingness or ability to comply with its conditions of registration	

TITLE OF PROTOCOL: Significant Risk and Critical Incident Notification Protocol	
Protocol Ref	VC/09/2020
Version Number	1.0
Version Date	May 2020
Protocol Owner (Group/Centre/Unit)	Vice Chancellor's Office
Person responsible for implementation (postholder)	Registrar
Approving Committee/Board	University Executive Board (2 June 2020)
Date Approved	2 June 2020
Effective from	With immediate effect
Dissemination method (eg website)	Website Disseminated to Principal/CEO of each subsidiary
Review Frequency	2 years
Reviewing Committee	Audit Committee and Group Cabinet
Consultation history (individuals/group consulted and dates)	Executive Governance Working Group