



# 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 risks and incidents to the University. To provide the steps that

each subsidiary to notify and escalate such risks and incidents (as applicable to their organisation).

This protocol covers the escalation of those risks or incidents that do not trigger an automatic escalation and will provide a systematic approach to reporting significant risks to the University. 'Risks' in this context will include, but not be limited to, risks to the subsidiary's and/or the University's formal Risk Register. This protocol sets out the protocol for the management of Reportable Events to the University, including the Office for Students (OfS) and is in addition to a subsidiary's governance agreement (if any) with the University.

This protocol applies to all University subsidiaries within the subsidiary Group. This escalation protocol is designed to replace routine incident management and reporting to the subsidiary's Board, rather it is designed to apply in circumstances where there is a significant risk to their organisation and/or the subsidiary's reputation where a coordinated response may be required.

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.

### Procedure

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

APPENDIX 1

SIGNIFICANT RISK AND CRITICAL INCIDENT NOTIFICATION FORM

<b>TITLE OF PROTOCOL:</b> Significant Risk and Critical Incident Notification Protocol	
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Protocol Owner (Group/Centre/Unit)	Vice Chancellor's Office