

UNEXPECTED DEATH OF A CHILD AT A SERVICE POLICY



1.0 PURPOSE

Our Service will ensure that Management and educators follow the procedures and principles within this policy and that immediate and appropriate action is taken to notify relevant authorities in the event of the death of a child whilst at the Service. There are a number of legal requirements to adhere to in the tragic event of the death of a child at a Service as outlined below.

The unexpected death of a child at a Service is a traumatic event and the impact on educators, children and families can cause emotional turmoil, which can overwhelm usual coping skills. A policy providing comprehensive procedures is therefore crucial to ensure a coordinated response and ensure the mandatory reporting requirements to the regulatory authorities are followed.

As a result of the suddenness of such an event, well-trained and experienced staff can experience strong emotions and traumatic stress responses. The role of our Service is to help restore a sense of safety for all children, educators, and families as soon as possible following a traumatic event.

2.0 SCOPE

This policy applies to children, families, staff, management, Approved Provider, Nominated Supervisor, students, volunteers and visitors of the Service.

3.0 PRINCIPLES

Best Practice

Our Service is committed to implementing best practice recommendations provided by the NSW Department of Education and Communities, NSW Health, Child Safe Standards and Safe Work Australia.

Risk Management

Our Service implements risk management planning to identify any risks and hazards to our learning environment and practices. Where possible, we have eliminated or minimised these risks as is reasonably practicable. New risk assessments are always being implemented and some are being reviewed.

Continuous Improvement

We encourage regular and ongoing feedback from staff, children, families and the community in relation to reducing the risk of illness, injury and unexpected death of a child at the service.

4.0 NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community

EDUCATION AND CARE SERVICES NATIONAL LAW AND REGULATIONS	
Sec. 174	Offence to fail to notify certain information to Regulatory Authority
12	Meaning of serious incident
85	Incident, injury, trauma and illness policies and procedures
176	Time to notify certain information to Regulatory Authority
183 (c)	Storage of records and other documents The records must be kept- (c) if the record relates to the death of a child while being educated and cared for by the education and care service or that may have occurred as result of an incident while being educated and cared for, until the end of 7 years after the death.

5.0 DEFINITIONS

WORD/TERM	DEFINITION
Approved Provider / Nominated Supervisor	The Approved Provider / Nominated Supervisor is the person who is in charge of the Service.

SERIOUS INCIDENTS

Regulation 12 defines a serious incident involving the death of a child as:

- (a) The death of a child –
 - I. while that child is being educated and cared for by an education and care service, or
 - II. following an incident occurring while that child was being educated and cared for by an education and care service.

NOTIFICATION OF A SERIOUS INCIDENT

Under the National Law and Regulations [Section 174(2) (a) and Regulation 176 (2) (a)], the approved provider must notify the regulatory authorities within **24** hours of any serious incidents. This must be completed by logging into the [National Quality Agenda IT System \(NQA IT System\)](#).

KEEPING CHILDREN'S RECORDS

In the event of the death of a child whilst being cared for at the Service, records must be kept for 7 years from the date of the child's death. [Regulation 183 (c)]

INITIAL ACTION AND IMPLEMENTATION OF POLICY

Management and educators will ensure that immediate and appropriate action is taken in the event of the death of a child whilst at the Service by following and implementing the following procedures:

1. Assess the situation as per service and First Aid procedures for any immediate danger to other children and/or staff.
2. Provide immediate First Aid and/or CPR in accordance with current First Aid training.
3. Call emergency services immediately and request an ambulance 000.
4. Responsible person will call the parents/guardian of the child and arrange to meet at the hospital (cooperate with emergency services and adhere to their protocols).
5. The Service must not advise parents of the death of their child: medical staff/emergency services will advise families of the situation.
6. Notify Regulatory Authorities including Police.
7. Notify the Approved Provider (if not at the service).
8. The Responsible Person will complete in detail the Service's *Incident, injury, trauma and illness* form on OWNA platform.
9. The Approved provider will log the incident on the NQA IT System, within 24 hours attaching incident form and evidence <https://www.acecqa.gov.au/resources/national-quality-agenda-it-system>.
10. Secure the area around where the fatality occurred to prevent further incident or injury and to adhere to any non-disturbance requirements for notification of a notifiable incident under Work Health and Safety Act 2011
11. Management/Approved provider will contact the insurance company.

APPROVED PROVIDER/NOMINATED SUPERVISOR/RESPONSIBLE PERSON WILL:

- Follow directions/protocols provided by the Regulatory Authority/ SafeWork. Request support for protocols when notifying families and children; sharing information with a coordinated and effective response and assistance to manage social media adhering to privacy and confidentiality laws.
- Ensure parents, families, children and educators receive adequate and appropriate post-incident support.
- Demonstrate sensitivity, open mindedness and a balanced approach.
- Recognise and support cultural needs.
- Ensure all evidence is preserved.
- Maintain accurate and detailed record keeping.
- Contact their legal representative for support and direction.
- Establish protocols for staff and educators to discuss the traumatic event.
- Advise staff of social media protocol for the event.
- Provide professional and sensitive communication with families of the Service.
- Engage the services of health care professionals (counselling and support for staff).
- Cooperate on an ongoing basis with inter-agencies involved in the investigation.

CARING FOR THE WELLBEING OF EDUCATORS, CHILDREN AND FAMILIES

Our Service will engage health professionals who may include child and family counsellors and psychologists to support our educators during this profoundly difficult time. Health professionals will assist educators to be sensitive and mindful of the impact such an event has had on all stakeholders. With professional guidance and support, we will encourage children to express their emotions and feelings and implement strategies to assist and guide children's process of grieving and re-engage children in learning.

Educators will support children's understanding of grief and loss by:

- answering questions simply and honestly
- allowing children to express their emotions and feelings
- provide appropriate comfort
- implement a range of learning experiences to express their thoughts- drawing, movement, play
- create a safe space for time alone when needed

Our Service will seek advice and support from health professionals to provide appropriate materials to send home to families to assist in understanding the effects of trauma on children and possible changes in behaviour following the unexpected death of a child in our Service.

SUPPORT SERVICES

Beyou	1300 224 636	www.beyou.edu.au
Beyond Blue	1300 224 636	www.beyondblue.org.au
Headspace	1800 650 890	www.headspace.org.au
Lifeline	13 11 14	www.lifeline.org.au
Kid's Help Line	1800 551 800	https://kidshelpline.com.au
Compassionate Friends of Victoria	1300 064 068	www.compassionatefriendsvictoria.org.au/
National Centre for Childhood Grief	1300 654 556	https://childhoodgrief.org.au/contact-us/

CONTINUOUS IMPROVEMENT/REFLECTION

Our *Unexpected Death of a Child at a Service Policy* will be reviewed on a three yearly basis or if the need is required due to an incident or new legislation, in consultation with children, families, staff, educators and approved provider.

RELATED POLICIES

Incident, Injury, Trauma and Illness Policy	<ul style="list-style-type: none"> Medical Administration Medical Conditions Policy Providing a Child Safe Environment Safe Storage of Hazardous Policy Safe and/or Rest time Policy Water Safety Policy
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SOURCES

Australian Centre for Grief and Bereavement: <http://www.grief.org.au>

Australian Child & Adolescent Trauma, Loss & Grief Network:

http://earlytraumagrief.anu.edu.au/files/ACATLGN_grief_and_loss.pdf

Child Care Centre Desktop: *Unexpected Death of a child at a service Policy 20.2.23*

Education and Care National Regulations. (30.12.2021).

Guide to the National Quality Standard. (Sept 2020).

Occupational Health and Safety Act 2004.

What Do We Tell the Children When Someone Dies? http://www.adac.org.au/siteF/resources/l_children_gt.pdf

Work Health and Safety Act 2011.

POLICY REVIEWED BY	Narelle Blachford	Director/Nominated Supervisor	
POLICY REVIEWED	FEB 2023	NEXT REVIEW DATE	FEB 2026
Policy review details	Revisited to be in line with Education and Care National Regulations.		
Policy review history	Reviewed in 20 th July 2016		