

# UNEXPECTED DEATH OF A CHILD AT A SERVICE POLICY

The unexpected death of a child at an Out of School Hours Care (OSHC) 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 OSHC Service is to help restore a sense of safety for all children, educators, and families as soon as possible following a traumatic event.

## 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 document 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.

## RELATED POLICIES

Administration of First Aid Policy Administration of Medication Policy Anaphylaxis Management Policy Asthma Management Policy Child Protection Policy Epilepsy Management Policy Health and Safety Policy	Incident, Injury, Trauma and Illness Policy Medical Conditions Policy Road Safety Policy Safe Storage of Hazardous Substances Policy Sick Children Policy Water Safety Policy
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## PURPOSE

Our OSHC Service will ensure that management, staff 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.

## SCOPE

This policy applies to children, families, management, approved provider, nominated supervisor, students, volunteers, visitors (including contractors) and staff of the OSHC 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

Management and educators will ensure that immediate and appropriate action is taken in the event of the death of a child whilst at the OSHC 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 requesting an ambulance
4. management/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 the Police Department
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
9. the Approved Provider will log the incident on the NQA TI System within 24 hours, attaching incident form and evidence. <https://www.acecqa.gov.au/resources/national-quality-agenda-it-system>
10. notify SafeWork [in your state/territory] within the first hour of the incident/fatality occurring
11. 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
12. management/Approved provider will contact the insurance company.

## THE APPROVED PROVIDER/NOMINATED SUPERVISOR/MANAGEMENT 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 educators, staff, students, visitors and volunteers have knowledge of and adhere to this policy
- demonstrate sensitivity, open mindedness and a balanced approach
- ensure that parents, families, children and educators receive adequate and appropriate post-incident support

- 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 OSHC 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 OSHC 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.

### CONTINUOUS IMPROVEMENT/REFLECTION

Our *Unexpected Death of a Child Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

## SUPPORT SERVICES

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

## SOURCES

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

Australian Child & Adolescent Trauma, Loss & Grief Network:

[http://earlytraumagriev.anu.edu.au/files/ACATLGN\\_grief\\_and\\_loss.pdf](http://earlytraumagriev.anu.edu.au/files/ACATLGN_grief_and_loss.pdf)

Australia Children's Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#).

Education and Care National Regulations. (Amended 2023).

*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](http://www.adac.org.au/siteF/resources/l_children_gt.pdf)

*Work Health and Safety Act 2011.*

[Western Australian Education and Care Services National Regulations](#)

## REVIEW

POLICY REVIEWED BY	Libby Haines	Director	October 2023
POLICY REVIEWED	OCTOBER 2023	NEXT REVIEW DATE	OCTOBER 2024
VERSION NUMBER	V7.10.23		
MODIFICATIONS	<ul style="list-style-type: none"> <li>annual policy review</li> <li>sources and links to support services checked for currency</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
OCTOBER 2022	<ul style="list-style-type: none"> <li>policy maintenance - no major changes to policy</li> <li>hyperlinks checked and repaired as required</li> <li>new section- Continuous Improvement/Review added</li> <li>minor formatting edits within text</li> </ul>	OCTOBER 2023	

	<ul style="list-style-type: none"> <li>• link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> <li>• clarification regarding notification to Regulatory Authority via NQAITS within 24 hours</li> </ul>	
OCTOBER 2021/JANUARY 2022	<ul style="list-style-type: none"> <li>• policy reviewed as part of annual cycle</li> <li>• minor edits (inclusion of OSHC reference)</li> <li>• additional support services added</li> <li>• sources checked for currency</li> <li>• additional information added to assist management (Jan 22)</li> </ul>	OCTOBER 2022
DECEMBER 2020	<ul style="list-style-type: none"> <li>• Minor editing and formatting</li> <li>• Sources checked for currency</li> <li>• Page numbers inserted</li> </ul>	OCTOBER 2021
DECEMBER 2019	<ul style="list-style-type: none"> <li>• Related policies added</li> <li>• Relevant standards and regulations added</li> <li>• Additions to some subsections</li> <li>• Support services added</li> <li>• Sources checked for currency</li> </ul>	DECEMBER 2020
DECEMBER 2018	<ul style="list-style-type: none"> <li>• New policy drafted</li> </ul>	DECEMBER 2019