

UNEXPECTED DEATH OF A STAFF MEMBER AT A SERVICE POLICY

The sudden and unexpected death of a staff member at an Out of School Hours (OSHC) Service is a traumatic event and can have a profound impact on other staff, educators, children and families. 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 ensure our workplace promotes the health and wellbeing of all staff and provides a safe, healthy and supportive environment in which to work. Should a serious incident occur, our OSHC Service will ensure mandatory reporting requirements are followed and support is provided to assist all staff, children and families deal with distress, grief and bereavement.

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
168	Policies and procedures are required in relation to health and safety
176	Time to notify certain information to Regulatory Authority

RELATED POLICIES

Administration of First Aid Policy Health and Safety Policy Incident, Injury, Trauma and Illness Policy	Medical Conditions Policy Unexpected Death of a Child at a Service Policy
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PURPOSE

Our OSHC 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 staff member at a service as outlined below.

SCOPE

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

SERIOUS INCIDENTS

Within this policy a notifiable incident relates to a fatality in the workplace due to:

- an injury sustained in the course of a work activity
- the result of someone else's work activity or
- natural cases such as heart attacks and strokes.

Under the Work Health and Safety Act (2011) legislation, all businesses are mandated to immediately notify *SafeWork* if a notifiable incident occurs. If the regulator stipulates, the incident site must be preserved until an inspector arrives or directs otherwise.

Phone: 13 10 50

NOTIFICATION OF A SERIOUS INCIDENT

Although there is no specific requirement stipulated in the National Law and National Regulations for reporting a death of a staff member, the approved provider must notify the state regulatory body if any circumstance arises at the service that may pose a risk to the health, safety or wellbeing of a child or children attending the service [Section 174(2) (a) and Regulation 176 (2) (a)].

The unexpected death of a staff member could be viewed as a serious incident. Notification to the regulatory authorities must be made within 24 hours. This must be done by logging into the National Quality Agenda IT System (NQA IT System).

INITIAL ACTION AND IMPLEMENTATION

Management, staff and educators will ensure that immediate and appropriate action is taken in the event of the death of a staff member 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 staff and children
2. provide immediate First Aid and/or CPR in accordance with current First Aid training
3. call an Ambulance immediately on 000
4. assess the situation as per First Aid procedures for any immediate danger to other staff and/or children
5. management/Responsible person will call the emergency contact person of the staff member
6. Notify Regulatory Authorities and Safe Work (NSW) 13 10 50
7. take care not to disturb the incident site until police or inspector from SafeWork arrives
8. the Responsible person will complete in detail the Service's *Incident, Injury, Trauma and Illness* record
9. the management/Responsible person will advise the school principal of the incident, if required
10. management/approved provider will contact the Service's insurance company
11. the approved provider will log the incident on the NQA IT System, attaching incident form and evidence within 24 hours of the death.

<https://www.acecqa.gov.au/resources/national-quality-agenda-it-system>

THE APPROVED PROVIDER/NOMINATED SUPERVISOR/RESPONSIBLE PERSON AND EDUCATORS WILL:

- transition children away from the area
- demonstrate sensitivity, open mindedness and a balanced approach to managing the incident
- recognise and support cultural needs of staff, children and families
- 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 OSHC 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
- provide support and comfort to the family of the colleague (phone calls, reassurance, legal advice, workers compensation information etc.)

CARING FOR THE WELLBEING OF EDUCATORS, CHILDREN AND FAMILIES

Our OSHC Service will support staff members who may be deeply affected by the loss of a colleague by the following actions:

- provide grief counselling as soon as possible
- foster a culture of compassion, understanding and respect
- be present as a team to support one another on a day-to-day basis
- provide opportunities for staff to grieve privately (flexible rostering where possible)
- contact other childcare services or providers in your network/community to assist with emergency support if needed (providing the opportunity for colleagues to attend the funeral if appropriate)
- closely monitor staff for ongoing suffering and offer immediate support
- discuss employee leave entitlements (sick, FACS, long service, unpaid)
- promote self-care for all staff in the workplace.

Our OSHC Service will be sensitive and mindful of the impact of such an event has on all stakeholders and engage professional health professionals to provide information, guidance and support for staff, educators, children and families.

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.

CONTINUOUS IMPROVEMENT/REFLECTION

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

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/
Rainbows	03 9798 7005	www.rainbows.org

CONTACT DETAILS FOR REGULATORS

To notify a 'notifiable incident' contact your local regulator:

Jurisdiction	Regulator	Telephone	Website
New South Wales	SafeWork NSW	13 10 50	safework.nsw.gov.au
Commonwealth	Comcare	1300 366 979	comcare.gov.au

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

Education and Care National Regulations. (Amended 2023).

Guide to the National Quality Standard. (Amended 2023).

Occupational Health and Safety Act 2004.

Safe Work Australia: www.safeworkaustralia.gov.au

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	V3.10.23		
MODIFICATIONS	<ul style="list-style-type: none"> annual policy review- no major changes sources checked for currency and updated as required 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
OCTOBER 2022	<ul style="list-style-type: none"> policy maintenance - no major changes to policy hyperlinks checked and repaired as required new section- Continuous Improvement/Review added 	OCTOBER 2023	

	<ul style="list-style-type: none"> • minor formatting edits within text • link to Western Australian Education and Care Services National Regulations added in 'Sources' 	
OCTOBER 2021	<ul style="list-style-type: none"> • New policy drafted for OSHC services 	OCTOBER 2022