

D-12 Death of a Child or Staff Member

NQS

QA. 2.2	Safety.
QA. 2.2.2	Incident and emergency management.
QA. 4.2.2	Professional standards.
QA. 6.1	Supportive relationships with families.
QA. 7.1.2	Management systems.
QA. 7.1.3	Roles and responsibilities.

National Regulations

Reg. 12	Meaning of serious incident
Reg. 85	Incident, injury, trauma and illness policies and procedures
Reg. 86	Notification to parents of incident, injury, trauma and illness
Reg. 87	Incident, injury, trauma and illness record
Reg. 168	Education and care service must have policies and procedures
Reg. 176	Time to notify certain information to Regulatory Authority
Reg. 183	Storage of records and other documents

My Time, Our Place

LO. 1	Children and young people feel safe, secure, and supported
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Policy Statement

Staff in the Centre must be prepared to handle all incidents in a professional and sensitive manner. In the event of such a tragic circumstance as the death of a child or a staff member, the staff will follow guidelines as set out below.

Related Policies

- ENOSHCP Policy A-11: Maintenance of Records
- ENOSHCP Policy A-17: Privacy and Confidentiality
- ENOSHCP Policy C-3: Staff Orientation
- ENOSHCP Policy C-4: Staff Professionalism
- ENOSHCP Policy D-9: Emergency Procedures
- ENOSHCP Policy D-11: Management of Incident, Injury and Trauma
- ENOSHCP Policy D-28: Workplace Health, Safety and Environment
- ENOSHCP Policy D-33: Legal responsibilities and WHS information
- ENOSHCP Policy D-36: Incident report and investigation for staff members

Procedure

The death of a child or staff member whilst in attendance at the centre will result in the same procedures undertaken as that of a “serious incident” (see D-11 Management of Incident, Injury and Trauma Policy and D-36 Incident report and investigation for staff members).

The death must be reported to:

- Emergency Services (both Police and Ambulance)
- NSW Government – Department of Communities and Justice (DCJ)
- The Management Committee
- The Regulatory Authority for NSW (see below)
- WorkCover NSW for a staff member

Clear emergency procedures should be maintained for the other children at the Centre (see D-9 Emergency Procedures Policy).

The Responsible Person will notify the parent/guardian, emergency contact that a serious incident has happened and advise them to contact the relevant medical agency. This information should be provided in an extremely sensitive manner.

It is **not** the role of the Centre to inform the parent/guardian that their child has died. Only a qualified medical practitioner can declare a person dead and therefore Centre staff should ensure the parents are only advised that the injury is serious and refer them to the medical agency (i.e. Hospital) where the child has been taken.

A detailed incident report will be completed as soon as practicable but no later than 24 hours after the incident (Regulation 87), and forwarded to the President of the Management Committee.

The site of an incident may be subject to investigation and should be protected from disturbance until notified that there is no interest in the site by the Police. Counselling will be made available for all children and staff.

Regulatory Authority for NSW

The Nominated Supervisor will ensure that the NSW Regulatory Authority (see below) is notified of the child’s death as soon as practicable and within 24 hours via NQAITS. This is a requirement under Regulation 176 of the Education and Care Services Regulations (2011).

NSW Early Childhood Education and Care Directorate
Department of Education and Communities

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PARRAMATTA NSW 2124
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Sources

- Education and Care Services National Regulations 2011
- National Quality Standard
- Work, Health and Safety Act 2011
- Privacy Act 1988
- Children (Education and Care Services National Law Application) Act 2010
- SafeWork Australia – incident
- NSW Government – Department of Communities and Justice
- My Time, Our Place Framework for School Age Care in Australia

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