



Unexpected Death of a Child at a service policy

POLICY STATEMENT:

Lake Mac Newy OOSH understand that 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. 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.

A policy providing comprehensive procedures is therefore crucial to ensure a coordinated response and to ensure compliance with mandatory reporting requirements to regulatory authorities are met.

The service is committed to ensuring that the safety, well-being, and best interests of children are the paramount consideration in all decisions, actions and responses relating to a critical incident, including the unexpected death of a child. All actions taken will prioritise children's safety, dignity, and rights above all other considerations, including operational, reputational or administrative factors.

PROCEDURE:

Lake Mac Newy OOSH 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.

SERIOUS INCIDENTS

Regulation 12 of the Education and Care Services National Regulations 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 Education and Care Services National Law and Regulations [Section 174(2)(a), Regulation 175 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. All decisions and actions taken during and following the incident will be guided by the principle of paramountcy, ensuring the best interests, safety and well-being of all children remain the primary consideration.
2. Assess the situation as per service and First Aid procedures for any immediate danger to other children and/or staff
3. Move other children away from the area to ensure their safety and well-being while maintaining appropriate supervision and implementing immediate risk minimisation strategies to protect children from further harm, distress or exposure to traumatic events
4. Provide immediate First Aid and/or CPR in accordance with current First Aid training
5. Call emergency services immediately and request an ambulance
6. Management/Nominated Supervisor/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)
7. The Service must not advise parents of the death of their child: medical staff/emergency services will advise families of the situation
8. Notify Regulatory Authorities, including Police.
9. Where required, the service will also meet obligations under child protection and reportable conduct requirements, including notification to relevant agencies such as the NSW Office of the Children's Guardian and Department of Communities and Justice.
10. Notify the Approved Provider (if not at the service)
11. The Responsible Person will complete in detail the Service's *Incident, injury, trauma and illness* form
12. The approved provider/management will log the incident on the NQA IT System, within 24 hours attaching the incident form and evidence <https://www.acecqa.gov.au/resources/national-quality-agenda-it-system>
13. Notify SafeWork NSW within the first hour of the incident/fatality occurring
14. 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
15. The 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
- ensure parents, families, children and educators receive adequate and appropriate post-incident support
- demonstrate sensitivity, open-mindedness and a balanced approach
- ensure that all decision-making, including communication, incident management and post-incident review, reflects the principle that children's safety and wellbeing are paramount
- recognise, respect and support cultural, spiritual and family practices relating to death and grieving
- 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
- ensure all information is managed in accordance with privacy and confidentiality requirements, and that only authorised persons communicate with families, media or external agencies
- 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.
- conduct a review of policies, procedures, risk assessments and practices following the incident to identify any improvements required to support children's safety and wellbeing

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

Be You	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
Red Nose Grief and Loss	1300 308 307	www.rednosegriefandloss.org.au
National Centre for Childhood Grief	1300 654 556	https://childhoodgrief.org.au/contact-us/
NSW Health Child and Family Services		www.health.nsw.gov.au



CONSIDERATIONS:

Education and Care Services National Law & Regulations	National Quality Standards & Elements	Links to other Service Policies	Other Documentation/ Evidence
Sec. 174 R12, 85, 175, 176, 183 (c)	QA 2 – 2.2.2 QA 7 – 7.2 Child Safe Standards 1, 3, 4, 5, 6, 7, 9, 10	Administration of First Aid Policy Administration of Medication Policy Child Protection Policy Dealing with Infectious Diseases policy Dealing with Medical Conditions policy Incident, Injury, Trauma and Illness Policy Safe Storage of Hazardous Substances Policy Sleep and Rest Policy Unexpected Death of a Staff Member at a Service Policy Water Safety Policy	- Attendance Records - Enrolment Forms - Injury/illness reports - serious incident reports

ENDORSEMENT BY THE SERVICE:

Approval date: May 2026

Date for Review: May 2027