

## 1.14.8 Unexpected Death of a Child Procedure

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### Regulation and standards

#### England

- Regulation 40: Notification of a serious event

#### Wales

- The Regulated Services (Service Providers & Responsible Individual) (Wales) Regulations 2017
- The Regulation and Inspection of Social Care (Wales) Act 2016 – Section 2

### Outcome statement

All significant events relating to the protection of children accommodated in the home are notified by the Registered Person of the home to the appropriate authorities.

### Scope of this chapter

This chapter outlines the steps to be taken in the event of the unexpected death of any child in care.

### Relevant chapter

### Delegated Authorities and Notifiable Events

#### Important notice

These steps corroborate the requirement for carrying out the Local Safeguarding Partnership (LSP) Procedures in the event of a death of a child for the area in which the home is located.

The Children Act 2004 has placed requirements on LSP's to extend services in the field of child deaths to all unexpected deaths of children, (under 18 years) and therefore **under any circumstances the LSP procedures relevant to the location of the home must be followed.**

## 1. Definition

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Unexpected deaths are defined in Working Together as:

'Where the death was not anticipated as a significant possibility 24 hours before the death, or where there was a similarly unexpected collapse leading to or precipitating the events that led to the death'.

## 2. Overview

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Children who die suddenly and unexpectedly at the home or in the community should normally be taken to an A&E department rather than a mortuary, and resuscitation should always be initiated unless clearly inappropriate. Where a child is not taken immediately to A&E, the professional confirming the fact of death should inform the designated paediatrician with responsibility for unexpected deaths in childhood at the same time as the coroner is informed.

For all unexpected deaths of children (including those not seen in A&E) urgent contact should be made with any other agencies as stated in Regulation 40/42 of the Children's Homes Regulations and other relevant professionals (i.e. the coroner, the police and local authority children's social care) to inform them of the child's death.

Contact may be required with more than one local authority if the child died away from the home and away from the LSP in which they are normally resident.

## 3. Regulations

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The Children's Homes Regulations Part II set out what is to be done in relation to any notifiable events; of which death of a child is one as listed in column 1 of the table of notifiable events – Regulation 40/42.

### 3.1 Notifications

If a death of a child accommodated in the home occurs, the Care Manager must immediately inform their Line Manager who (if not the R.I) will liaise with the Responsible Individual.

If a death of a child accommodated in the home occurs the registered person shall, without delay (and not exceeding 24 hours), notify the:

- **(Regulating Authority);**
- Placing Authority (of the deceased child);
- Secretary of State/Welsh Assembly/Secretary of State (England)
- Local Authority (LSP);
- Health Authority (HSE);

**The registered person shall liaise with the placing Social Worker without delay and will agree who will notify the parent of the child; unless to do so is not reasonably practicable or would place the welfare of individuals at risk.**

Any notification given to any of the above that has been conducted orally must also be confirmed in writing.

### 3.2 Recording

Notifiable Events must be recorded on the Appropriate Notifiable Event Form and an Incident Report Form.

#### The Regulatory Authority

**ENGLAND:** The Regulatory Authority for England is Ofsted, for information about informing Ofsted of Notifiable Events, go to the following link: [Click here for Ofsted Guidance re Notification of Serious Incident in a Children's Home.](#)

**WALES:** The Regulatory Authority for Wales is CIW, the form that should be completed and forwarded to CIW can be downloaded and completed: [Click Here to download the form](#) (this will open up in a new window).

## 4. Further Considerations

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The Care Manager will:

- a. Immediately inform the Responsible Individual by telephone and provide follow up information in writing as soon as possible afterwards;
- b. Advise Company Legal Services, initially by telephone, then confirm details in writing; and ensure they give all the relevant details to be passed to the company insurance team;
- c. Contact the Finance Department, initially by telephone and then in writing;
- d. Consult the Responsible Individual about the need for an internal multi-disciplinary review of the case and if so, inform the appropriate person to conduct the review;
- e. Arrange to inform other relevant agencies about the death and request that they secure their files where a review is likely to be required.

### 4.1 Needs of Staff and other Children

During the implementation of this procedure consideration must be given to the needs of those staff, carers and other children involved in the case.

The impact of a child death needs to be addressed in terms of:

- The need for counselling for those involved;
- The manner in which such support is offered;
- The provision of access to legal and professional advice about the ongoing conduct of the case;
- The provision of a clear explanation of the process of the case;
- Support for staff in the event of Police investigation/interviews;
- The need to inform and keep informed any relevant Trades Unions;
- The need for team debriefing whilst observing confidentiality. This must be discussed with the Responsible Individual;

- The need to acknowledge that a child death can impact on the productivity of any team and its ability to function; and the need to agree strategies to manage workloads.

**Please note that Files must be retained for 15 years following the death of a child.**

## **Revision History**

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Date last updated: July 2020

Date of next review: July 2021

Date of release: December 2018

**End**