

Appendix A: Definition of a Serious Incident

CYP Notes in Clarification of Corporate Serious Incident Policy (April 2014)

A Serious Incident in the context of this policy and procedure is defined as a situation which may seriously harm staff, people who use the service, or others, and/or involve serious fraudulent or financial irregularities, and is likely to produce a significant legal, media or other interest which, if not properly managed may result in further damage or harm to those involved or loss of the Council's reputation or assets.

Under this policy some incidents may be defined as catastrophic. The decision to categorise an incident as catastrophic should be based on a risk assessment of the likely impact, particularly in terms reputation management for the Council. For example, an incident which may be serious in terms of the impact on people or services may become catastrophic and require immediate personal contact with the Chief Executive or relevant Strategic Director if immediate critical press coverage is anticipated.

With the following serious incidents, the corporate policy alone applies:

- Fire or other damage to Council premises or other incident (health and safety/serious infections) that result in, or have potential to, cause major disruption to services;
- Serious or potentially serious breach of confidentiality, e.g. loss of service user/staff records/personal information;
- Serious fraudulent or financial irregularities, alleged/actual abuse of Council/service users finances (whilst in the care of the Council);
- Any other Serious Incident which may not be included within any of the above categories.

In Children's Services, many serious incidents are also covered by statutory regulation and CYP procedures. Where there is already a requirement for reporting and responding to incidents, the statutory process must take priority. To avoid duplication, the information reports generated in this way, e.g. Schedule 5 and Serious Incident notifications, can be used (suitably anonymised) to inform the corporate centre and to provide the detail required for corporate analysis.

Documents should be sent to the relevant Service Director, who will consider whether to bring to the attention of the DCS (most serious or politically sensitive issues). If an immediate decision or direct involvement is required, telephone contact should be made. The Service Directors will also consider whether the incidents meet the threshold for central reporting, in which case they will forward the information to Chief Exec's office (c/o Jessica.West@derby.gov.uk). The DCS will take responsibility for informing the Chief Exec and elected members as necessary.

These incidents would include the following:

Serious incident - Corporate definition	CYP example	Action
Death, serious injury, serious physical assault, or sexual assault (alleged or actual) of:		
- a member of staff, or a member of the public whilst on Council premises or while carrying out duties on behalf of the Council	E.g. member of staff or person attending a meeting is seriously injured at work or on the premises	Follow Corporate policy + H&S procedure

- an individual currently [at that moment] in receipt of services provided by or purchased by the Council	Child dies or is seriously injured whilst accessing a Council service	Statutory notification to Ofsted by any regulated provider – follow CYP & H&S procedure and send copy of CYP & YJB report if applicable to relevant Service Director in place of corporate document. If not regulated provider, follow Corporate policy + H&S procedure
	a child in care or custody dies or is seriously injured	Statutory notification to Ofsted by regulated provider and LA; statutory notification to YJB by YOS; notification to DSCB & consideration of SCR send copy of CYP or YJB report if applicable to relevant Service Director in place of corporate document.
	Death or serious (life threatening) injury of any child where abuse is suspected	Statutory notification to Ofsted by LA/DSCB and any regulated provider – follow CYP procedure and send copy of CYP report to relevant Service Director in place of corporate document. Likely to be subject to SCR.
	For any child in care sexual assault includes risk of CSE	Statutory notification to Ofsted by regulated provider – follow CYP procedure and send copy of CYP report to relevant Service Director in place of corporate document
	Child is allegedly assaulted by a member of staff	Statutory notification to Ofsted by regulated provider if applicable – follow CYP procedure (LADO) and send copy of CYP report if applicable /LADO referral to relevant Service Director in place of corporate document
- a member of staff or a member of the public where the alleged perpetrator is currently in receipt of a service provided by or purchased by the Council	YOS service user responsible for a death or most serious physical or sexual assault	Statutory notification to YJB by YOS – follow YOS procedure and send copy of report to relevant Service Director in place of corporate document
	Where a member of staff or their family is the victim, or any circumstance where perpetrator is a known risk.	Follow Corporate policy + H&S procedure

<p>Serious non-compliance by an Independent Sector Provider which carries an assessed risk to service, finance and/or reputation of the Council</p>	<p>May include breach of regulations or safeguarding concern in a regulated service</p>	<p>If situation requires notification to Ofsted or other regulatory body, send copy of report to relevant Service Director in place of corporate document. Otherwise follow Corporate policy</p>
	<p>Serious complaints relating to any breach of regulations or safeguarding concern in a Council run, regulated service</p>	<p>Statutory notification to Ofsted by regulated provider - send copy of CYP report if applicable to relevant Service Director in place of corporate document</p>
<p>Citizens receiving a service directly provided by the Council, who have made serious attempts on their own lives while receiving care and support</p>	<p>Serious self-harm or attempted suicide by a child in care or custody</p>	<p>Statutory notification to Ofsted by regulated provider or to YJB by YOS and consideration by LA/DSCB - may be subject to SCR – follow CYP procedure and send copy of CYP/YOS report to relevant Service Director in place of corporate document</p>
	<p>Serious self-harm or attempted suicide by a child where there has potentially been a failure in services</p>	<p>For consideration by DSCB, may be subject to SCR; report to YJB by YOS send copy of CYP/YOS report to relevant Service Director in place of corporate document</p>
<p>Where a service user goes missing from a directly provided service where this represents a risk to self or others.</p>	<p>Child in care goes missing</p>	<p>Missing person policy – follow CYP procedure and send copy of CYP report to relevant Service Director in place of corporate document</p>
	<p>Vulnerable child or young person goes missing alone or with their family</p>	<p>Follow CYP procedure</p>
	<p>Child goes missing from a service centre or activity – includes if they are abducted by a parent</p>	<p>Follow Corporate policy; consider need for CYP strategy meeting as well.</p>
<p>Incidents, which are liable to lead to potential danger to service users, public or staff e.g. threat/use of weapons, building/equipment malfunctions.</p>	<p>Incidents requiring the Police to be called to deal with a threat to staff, other service users or the public</p>	<p>Statutory notification to Ofsted by children's homes - send copy of CYP report to relevant Service Director in place of corporate document. Other settings follow Corporate policy</p>
	<p>Includes parents and other who behave dangerously on Council premises</p>	<p>Follow Corporate policy</p>