



CHILDREN SOCIAL CARE

NEED TO KNOW GUIDELINES

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Contents

1. INTRODUCTION	2
2. CIRCUMSTANCES REQUIRING A “NEED TO KNOW” BRIEFING	2
3. FORMAT OF THE BRIEFING	3
4. DECIDING WHO ELSE NEEDS TO KNOW	4
5. BRIEFING ELECTED MEMBERS AND CORPORATE COLLEAGUES.....	4
6. SENDING THE “NEED TO KNOW” BRIEFING.....	5
7. “NEED TO KNOW” BRIEFING PRO FORMA	5
8. PROCEDURE FOR CHILD DEATHS AND SERIOUS INCIDENTS	6
9. NEED TO KNOW PRO-FORMA	

1. INTRODUCTION

The Director of Childrens Service (DCS) People (Executive Director People) holds overall accountability for the Directorate's performance including that of Childrens Social Care and must be informed of all major incidents, situations or controversies involving services, employees, service users and buildings.

The Assistant Director of Childrens Social Care is responsible for Operations and will usually be involved in decisions around the cascading of information. This is about making sure the right people know at the right time and with the right and propose amount of information.

These guidelines set out what the Heads of Services, Assistant Director and DCS need to know in the format for the "Need to Know" (NTK) briefing. The purpose of the policy is to ensure effective, timely and standardised reporting of serious and significant incidents relating to children and young people. Avoiding duplication and repetition where we can. This guide is an as well as, not instead of other reporting channels for example Health and Safety incident reporting.

The DCS, will them along with the AD or the Directorate Management Team (DMT) and members of corporate communications team, ensure that the Chief Executive, other corporate colleagues and elected members are informed as necessary and appropriate.

A Need-to-Know Notification must be completed as soon as possible and ideally the same day but within 24 hours of any incident. If you cannot do the NTK someday, a verbal briefing should be given to your HOS and HOS to AD so there is awareness of any incident someday.

[Statutory guidance of roles & responsibilities of DCS / Lead member](#)

2. CIRCUMSTANCES REQUIRING A "NEED TO KNOW" BRIEFING

2.1 The AD and DCS needs to be made aware of the following circumstances: -

2.2 Children and families

- Death, serious accidents or injuries on local authority premises or where an employee is present
- Death where the death is unusual or unexpected
- Death or serious injury of a child who is currently receiving departmental services, including children looked after by the Council or children with a child protection plan
- Death or serious injury of a child attending a Bracknell Forest School
- Significant violent incidents whilst on local authority premises, in the company of local authority employees or were there are serious implications for individuals
- Cases of serious communicable diseases in, residential or day care premises, and including foster homes

- Missing children, where there is an immediate high risk, or they are missing for more than one night and are child in care, subject to a child protection plan or otherwise vulnerable as per Missing from Home & Care Procedures.
- A significant suspected Non-Accidental Injury referral
- A referral that may attract medial interest
- A referral that may have complicating factors such as a Members family or a senior colleagues family
- A referral that has high resource implications such as organised and complex abuse (needing silver or gold command)

2.3 Employees

- Unexpected death or serious injury
- Significant accidents or injuries at work. (This in addition to the corporate Health and Safety procedures which should be followed in all cases of accidents at work)
- Involvement in violent incidents
- Allegations, arrests or convictions for criminal offences
- Media coverage relating to members of staff where the publicity may impact on the council
- Suspension and or dismissal of an employee

2.4 Services and Service Premises

- Notification of any inspection of services
- Serious or significant damage caused by floods, accidental fire etc.
- Significant vandalism or burglary
- Any incident of arson

2.5 Controversies

- Major complaints implicating Safeguarding and Children's Services
- Matters likely to attract local or national interest
- Any matter which has or is likely to attract the attention of the media, elected members or Members of Parliament
- Outcomes of any inspections

2.6 Significant Legal Proceedings

- Proceedings likely to attract public or media interest
 - Serious criminal trials resulting from child protection proceedings
 - Trials relating to fraud or other offences committed by staff
- Proceedings with potentially high financial or policy implications; for example, threat of judicial review, civil litigations for damages, employment tribunal claims etc.
- Inquests

3. FORMAT OF THE BRIEFING

- 3.1 In the above circumstances, the Head of Service (or relevant delegated Manager) responsible for the business area involved in the incident, must wherever possible, complete the “Need to Know” pro-forma. This is a managerial task; the detail must be confined to a level that will inform the AD/DCS of the seriousness of the incident, actual or potential risk to the Directorate and Council, and of actions being taken to proactively manage the situation within 24 hours of the incident / event.
- 3.2 The “Need to Know” is in addition to and will inform any statutory notifications that may be required. The Head of Service responsible for the “Need to Know” briefing must ensure that they are clearly identified on the “Need to Know” and that all details for any statutory notifications that may be required are included.
- 3.3 Circumstances which are sufficiently serious to notify the AD and or DCS, require the “Need to Know” to be completed in draft by the Team Manager who will invariably have been involved with dealing with the matter. This must be sent to the relevant Head of Service who is responsible for a review of the “Need to Know” and further distribution.

4. DECIDING WHO ELSE NEEDS TO KNOW

- 4.1 The Assistant Director for Children’s Services must routinely be included in all “Need to Know” notifications in order to ensure that DMT shares accountability for managing the situation. The Assistant Director for Children’s Services will then be able to effectively deputise for the Director as necessary on “Need to Know” issues and be able to identify and act on any cross-divisional implications. Where relevant, the AD of Safeguarding and QA will also be in distribution of the “Need to Know” or the Assistant Directors for Adult Services and Education and Learning.
- 4.2 A decision will be taken by those who receive the initial NTK on any wider distribution
- 4.3 Where an employee is the subject of the “Need to Know” the AD for HR must also be included.
- 4.4 The “Need to Know” should be copied to all managers involved in managing aspects of the incident.
- 4.5 Should someone in receipt of the “Need to Know” believe that a key person has not been included; they must refer to the Head of Service, AD or DCS who will decide on distribution. Under no circumstances should a recipient distribute the information without permission.

5. BRIEFING ELECTED MEMBERS AND CORPORATE COLLEAGUES

- 5.1 The “Need to Know” process is also intended to be used to brief the Chief Executive, Council Leader and Portfolio Holder as necessary. It is not intended to routinely brief

all elected members who may have an interest in the situation (for example constituency members). Other members may require a specific briefing tailored to ensure that data protection and client confidentiality are not breached. The DCS or Assistant Directors on their behalf will decide whether the “Need to Know” requires a wider confidential elected members briefing, and what format it should take; for example there will be some times when Members will need to be informed about incidents in the Directorate they are the Portfolio Holder.

- 5.2 Confidential member briefings will come from the Director or Assistant Directors if delegated.
- 5.3 Similarly, the DCS or Assistant Directors if delegated will decide whether the matter requires the Chief Executive or other corporate colleagues to be briefed. In all circumstances where the incident is likely to attract publicity, the Chief Executive will be informed.
- 5.4 Depending on the circumstances, the “Need to Know” may be used to brief corporate colleagues who need to be involved, for example internal audit, fraud and investigation, health and safety, communications team, legal services, and human resources.

6. SENDING THE “NEED TO KNOW” BRIEFING

- 6.1 “Need to Know” notifications must be sent on email to all addressees with “Need to Know” stating either **for action or for info only** in the subject box and **marked with the high priority**.
- 6.2 All “Need to Knows” will be added to the case files if relevant to children and families. Or stored electronically by the relevant AD/Directors in closed files if not involving children or families.
- 6.3 Updates must be added to the original “Need to Know”, dated and clearly identify the Team Manager and reviewing Head of Service, who may be different from the originator. This way, an emerging picture is captured in one document for ease of reference and a defined conclusion is recorded to end the particular “Need to Know” issue.
- 6.4 In the event of a sudden or unexplained child death, all files on Mosaic and paper files will need to be secured within 1 working day.

7. “NEED TO KNOW” BRIEFING PRO FORMA

- 7.1** A pro-forma for completion is appended to this procedure. The form and guidance can be found in the local resources area of [Contents \(procduresonline.com\)](https://www.bracknellforest.gov.uk/procduresonline.com)

8. PROCEDURE FOR CHILD DEATHS AND SERIOUS INCIDENTS

Aim of document

The aim of this document is to promote:

- An awareness of statutory reporting requirements
- An awareness of the procedure of reporting notifiable incidents.

Purpose

This document sets out the guidance and responsibilities for the notification of serious incidents and child deaths. It should read alongside:

Working Together (2018) –

<http://www.workingtogetheronline.co.uk/>

Bracknell Forest Safeguarding Procedures –

<http://www.bracknellforestsafeguarding.org.uk>

Children's Homes Regulations (2015) –

<http://www.legislation.gov.uk/uksi/2015/541/introduction/made>

In accordance with Care Standards Act (2000) -

<http://www.legislation.gov.uk/ukpga/2000/14/contents>

Reporting a Serious Child Safeguarding Incident

The Local Authority (this is done by the AD OR DCS) must notify the Child Safeguarding Practice Review Panel if it is known or suspected that a child has been abused or neglected.

Use this service if a:

- child dies or is seriously harmed in your area
- child dies or is seriously harmed outside England, who is normally resident in your area

For looked-after children, you must notify the Child Safeguarding Practice Review Panel of their death whether or not you know or suspect abuse or neglect.

You must do this within 5 working days of becoming aware of the incident.

The Panel will share all notifications with:

- the Department for Education
- Ofsted

The Panel will not consider the deaths of looked-after children where abuse or neglect is not known or suspected. DfE and Ofsted will take appropriate action in these cases.

Process for Reporting a Serious Child Safeguarding Incident

The local authority (AD/DCS) will also inform Safeguarding Board and further decisions made collectively re other safeguarding partners in their area (and in other areas if appropriate) within five working days.

The local authority must **also** notify the Secretary of State and Ofsted where a looked after child has died, whether or not abuse or neglect is known or suspected.

Children who are normally resident outside Bracknell Forest boundaries (regardless of legal status)

Where First Response identify that the referred child is normally resident in another Local Authority, they will contact the relevant Local Authority and inform Bracknell Forest Safeguarding Children Board. This should be done regardless of whether the referred child is known to the originating Local Authority or not.

If a child whose death or serious injury is notified to the Bracknell Forest Safeguarding Board is normally resident outside Bracknell, the BFSB will provide notification of that death or injury to the appropriate Local Safeguarding Partnership in writing within 1 working day.

Media

In all situations, the anonymity of the child must be preserved. Before any involvement with the press, legal advice should be recorded and passed with the “Need to Know” to the AD/DCS who should be consulted prior to media activity. Where a number of agencies are involved, there should be consideration of any statement to be given by the Bracknell Forest Executive Leads rather than by individual agencies

Appendix 1

Need to know pro-forma

'NEED TO KNOW' form

CONFIDENTIAL and HIGH PRIORITY

'NEED TO KNOW' form	CONFIDENTIAL and HIGH PRIORITY
Children/Young Person's or employer names:	
Dob and age:	
Current address	
Case Status	
Legal Status	
Allocated Team, Manager and worker	
Date of incident	
Summary of incident	
Related key events	
Is due process under way ?	
Any workforce needs?	
Anything you need from AD/DSC/HOS?	
Likely to attracted media attention? Comms aware?	
Misc	
Updates if needed	

Need to Know Policy and Guidance – Including Child Death and Serious Incidents

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