



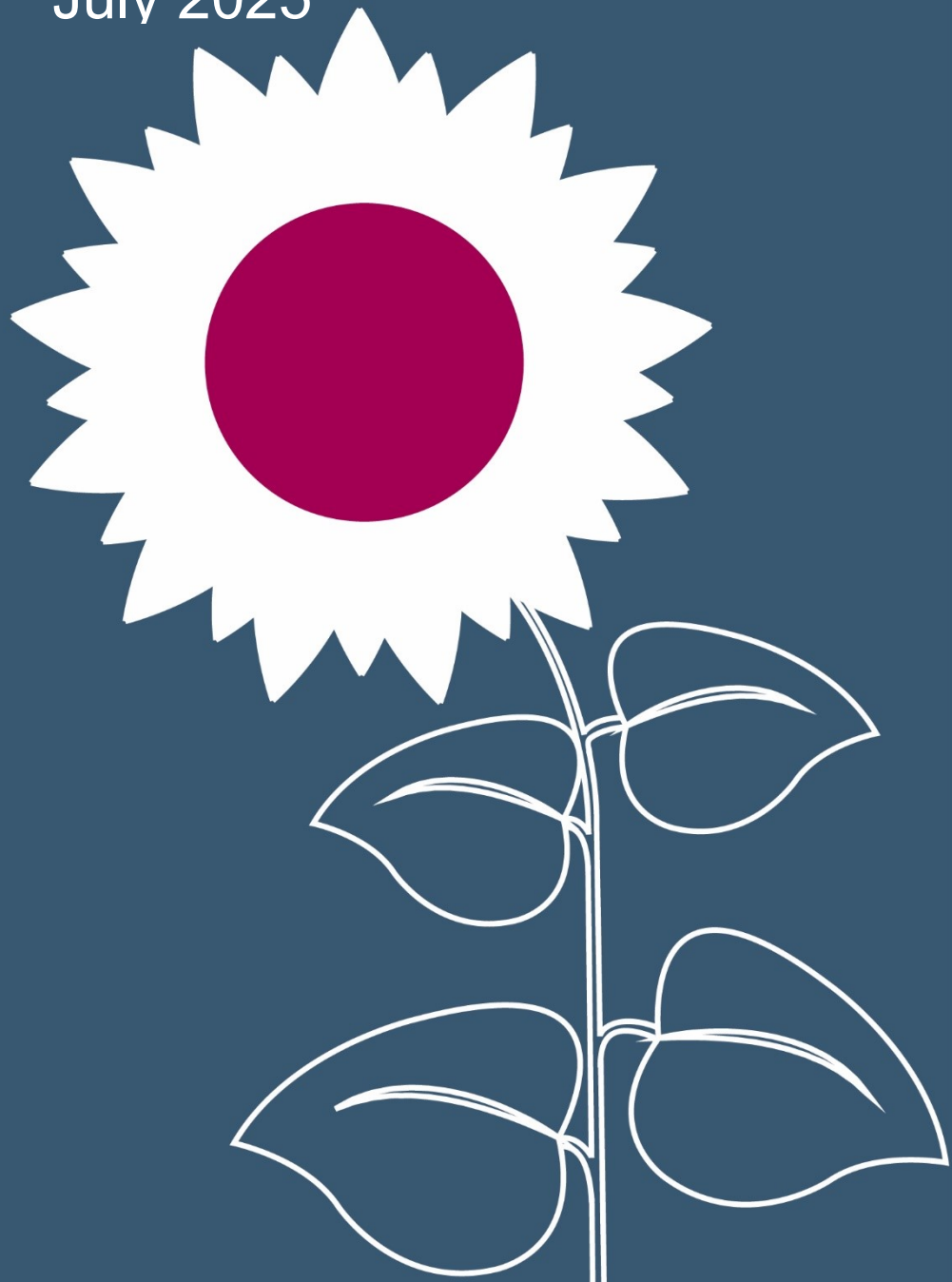
City of

Stoke-on-Trent

Delegated Authority and Incident Reporting

Tri X 5_4_13 July 2024

Review date July 2025



INFORMATION SHEET

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| Service area | Children's Social Care |
| Date effective from | Dec 2013 |
| Responsible officer(s) | Strategic Manager Children in Care |
| Date of review(s) | March 2021 July 2022 July 2023 July 2024 |
| Status: <ul style="list-style-type: none"> • Mandatory (all named staff must adhere to guidance) • Optional (procedures and practice can vary between teams) | Mandatory |
| Target audience | All residential staff |
| Date of committee/SMT decision | |
| Related document(s) | |
| Superseded document(s) | July 2023 |
| File reference | 5_4_13 |

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1 Introduction

- 1.1 The management of residential children's homes has a responsibility to report without delay, any notifiable events linked to the **Children's Homes Regulations and Quality Standards (2015)**.
- 1.2 Within the daily running of the home, all carers are required to notify the Registered Manager when there is any form of disruption in the normal running of the home, which may be detrimental to the welfare and care of the young people or carers.
- 1.3 Management will also be responsible for notifying the parents where appropriate, of any child who may be affected by the event and to ensure the event is recorded in writing and copies sent to Ofsted including the outcome of any investigation.

Children's Homes Regulations and Quality Standards 2015 (Regulation 40)

- 1.4 Although carers will be expected to act under their own initiative the Registered Manager must be informed of the actions of the carers at all times.

2 Aim of Policy

- 2.1 This policy specifies how and when notification of events or delegation of authority should take place.
- 2.2 This policy also provides guidance to carers and management on Incident Management and Reporting.

3 Notifications to Registered Manager

- 3.1 The following is a list of events and issues for which the Registered Manager must be notified without delay:
 - Any alterations in the Rota (these to be authorised by the Registered Manager/Assistant Manager).
 - Any two carers who work together in the home who are involved in a relationship. So adjustments can be implemented.
 - Any medication which carers are taking, either prescribed or home remedies, and are brought in to the home (Registered Manager to be informed of type of medication and the arrangements for storage of the medication and risk assessment if required).
 - Any concerns relating to child protection or inappropriate practice (whistleblowing).

- Any concerns relating to the health of a young person. (Registered Manager and the staff team to be informed. In the event of an infectious disease or serious illness the people indicated in **Children's Homes Regulations and Quality Standards (Regulation 40)**).
- Any concerns relating to the young person's education. (**Registered Manager and Assistant Manager to be informed**).
- The Registered Manager and placing authority to be notified of the absence of any young person at the earliest appropriate time this can be done via email or text unless serious information then on call services to apply and possible notification (**Regulation 40**).
- Any serious accident or death of a child to be reported to the Registered Manager and Strategic Manager who in turn will inform personnel as indicated in **Children's Homes Regulations 2015 (Regulation 40)**.
- Any concerns relating to self-harm by a child or young person to be reported to the Registered Manager/Assistant Manager – update Risk Assessments via email or text where appropriate out of hours.
- Any damage to property to be reported to the Registered Manager/Assistant Manager dependant on severity.
- Any incident in which the emergency services were called to the home to be reported to the Registered Manager. **Ofsted to be informed under Children's Homes Regulations 2015 (Regulation 40)**.
- Any Health and Safety concerns to be reported to the Registered Manager/Assistant Manager.
- Any defects on transport used by the Home to be reported to the Registered Manager/Assistant Manager.
- Any financial concerns relating to the day-to-day running of the home, to be reported to the Registered Manager/Assistant Manager or co-ordinator as required.

3.2 Any carer who is unable to report for duty must follow the guidelines set by Stoke on Trent City Council for sickness reporting. An agreed system must be in place to cover the shift with adequately trained carer.

If staff are not able to contact a Registered Manager out of hours usual contact of EDT is to be made.

4 Incidents

4.1 The following are defined as incidents and must be recorded and reported, but this list is not exhaustive. Any similar occurrences can be defined as an incident by a Manager, and recorded as such.

Physical Assault or violence caused to a child/young person or carer. [Ref: Behaviour Management Policy](#)

- Injury, of a serious nature, caused to a member of the public by a child/young person or carer.
- Accident, of a serious nature, caused to a member of the public child/young person or carer.
- Barricading by children/young people resulting in forced entry by carer or the Police.
- Damage, of a serious nature, caused maliciously or non-accidentally.
- Illegal access/possession of controlled drugs or substances.
- Self-harming, of a serious or persistent nature.
- Suicide, attempted suicide or death of a child/young person.
- Searches of a child/young person or a child/young person's belongings without the child/young person's permission.
- Bullying, of a persistent or serious nature.
- Physical Intervention (including using restraint/disengagement techniques on a child/young person.
- Police or other emergency services being notified or attending an incident.

4.2 If an incident occurs, the manager must be notified as soon as practicable but at the latest within 24 hours. The child/young person's social worker must also be informed within 1 working day and an agreement reached with the social worker about whether it is necessary to inform the child/young person's parent(s). If so, it should be agreed who should undertake this task. All risk assessments to be adhered to by staff and reporting measures in there followed i.e. email/text updates.

4.3 Where incidents are serious the Small Group Homes Co-ordinator and, in some circumstances, Ofsted must be notified.

Incident Recording

4.4 The following records should be completed after an Incident:

Children's Home

- Restraint Log (if appropriate)
- Room Search Book (if appropriate)
- Home's Daily Record
- Detailed incident reports/records
- Incident/accident form
- Social work updates
- Staff/YP de-briefs/medical attention

Social Worker

- All agreed documents to be completed and stored in correct locations before leaving your shift.
- 4.5 Records pertaining to incidents must be completed immediately by the carer most significantly involved. Staff should not go off duty without completing records. All those involved in restraint from searches must sign for accuracy.
- 4.6 If an incident leads to, or is followed by, the absence of the person responsible for completing the record, it is normally reasonable to expect that person to complete the records before leaving. If exceptional circumstances, such as hospitalisation, prevent this from happening, the manager must arrange for the records to be completed as accurately as possible in another way.
- 4.7 If there is any risk that a complaint may be made, or child protection/criminal investigation undertaken each person involved must write his or her own record. Separate records must be completed if there are significant differences or dispute between carers about what occurred.

4.8 Guidance on Completion of Incident Records

- Write down what happened in chronological order, preferably stating the time each event occurred.
- Don't express opinions and don't make assumptions about what happened.
- If you are writing the report on behalf of others make sure you check and report their versions, not what you think they said or did, use records to support (log book).

- Differences of opinion, recollection or knowledge must be accurately recorded.
- Avoid using jargon or professional terms unless you are confident that readers will understand them. Keep records simple so everyone can understand them.
- **Don't** use generalisations. **Do** use plain English, write down exactly what was said or done, and by whom.
- Always use initials.
- Always indicate, in brackets, the status of the person named (e.g. RCW, child/young person).
- State clearly what diversionary tactics or strategies were used, and by whom; also state the impact or changes the tactics brought about.
- If physical intervention was used, describe the intervention rather than saying "He was held or restrained". Record in restraint log.
- Also state who used the intervention, the duration it was used and what was said and done during the intervention until the child/young person was released.
- If more than one intervention was used, state the order they were used in – and why it was necessary to escalate or reduce the intervention.
- If there are particular techniques used e.g. disengagement techniques, state clearly what was used and in what order they were used.
- Complete all sections. Don't leave sections blank or any significant spaces. If you have nothing to report in a section, either draw a line through it, put N/A or (for example, in the section on injuries) "No Injuries". Alternatively strike a line through the space.
- Always sign and date the record and make sure other carers do the same before you pass it to the manager.

4.9 The child/young person should be asked to contribute to the report(s). If the child/ young person wishes to make a complaint, they should also be offered an independent advocate to support them through the process.

4.10 If you have any concerns about your own or other people's actions or decisions you must discuss them with the manager as soon after the incident as possible. If you feel uncomfortable or uneasy about returning to work this should be discussed with your line manager, if this is your line manager refer to your Assistant Manager, SGH Co-ordinator or HR.

Immediate Management Responsibilities

4.11 When the manager is informed that an incident has occurred, the following tasks should be undertaken immediately:

- Consider whether the Police or other emergency services should be contacted. (Staff may have already done this).
- Check if anyone has been injured; ensure first aid or hospital treatment as appropriate.
- If physical intervention has been used and the child/young person was injured, s/he must be given the opportunity to see a Medical Practitioner and the outcome must be recorded, and or the application/offer of first aid.
- Listen to everyone involved, note what they have said, provide support and advice if necessary; but don't make judgements or take sides.
- Ensure that the child/young person is given adequate opportunity to contribute to the reports; consider whether the child/young person would benefit from discussing the incident with an advocate.
- Ensure those involved are recording their recollections in detail in an Incident Record. If there are any conflicts between those involved or potential complaints, ask each person to write a separate record. These records should normally be completed and passed to the manager within 24 hours of the incident.
- If there are complaints or any potential child protection issues, follow them up in line with appropriate complaints or Child Protection Procedures/LADO.
- Arrange for social worker and others to be notified as necessary.
- Check whether there is any damage; and that it is made safe or repaired.
- It is the manager's responsibility after discussion with the SGH Co-ordinator to make a decision on whether the incident is one that should be notified to Ofsted as a Regulation 40 of the Children's Homes Regulations 2015. Notifications must be made to Ofsted by the homes Registered Care Manager/Assistant Manager without unnecessary delay using the on-line template at enquiries@ofsted.gov.uk. A hard copy of this notification should be printed and retained at the home and be made available on request during Ofsted inspections.

5 Management Reviews/Debriefs

- 5.1 The purpose of the Management Review is to examine the circumstances, action and decisions of all those involved in the incident, with a view to reducing or preventing future similar incidents. The Review should never be conducted in the context of trying to blame those involved.
- 5.2 Where there may be concerns about professional behaviour, physical/sexual assault or professional misconduct, the Stoke on Trent [Safeguarding Children Board's Procedures](#) must be followed – in particular “Making Allegations against Staff and Volunteers working with Children and Young People”. LADO would also need to be consulted/referral completed.
- 5.3 The Registered Manager should undertake the review, unless they are directly involved, in which case, the SGH Co-ordinator may ask another manager to undertake the Review or may undertake the Review themselves.
- 5.4 Under normal circumstances, the Registered Manager must review the incident within the following time scales:
- **Restraints:** within 72 hours of the restraint technique report being completed by carers.
 - **All other Incidents:** within 5 days of the Incident Report being completed by carers.

If there are Police, Safeguarding or Complaints investigations, the review should be postponed until they are complete.

5.5 Conducting the Review

- Don't make early judgements and don't take sides.
- Start from the point of view of seeking to learn from what has happened.
- Involve everyone, including the child/young person, at all stages. Inform them of the anticipated time scales.
- Try to identify the circumstances or behaviours which triggered the incident. Analyse the extent to which everyone adhered to procedures or recognised good practice: were people working effectively together, were they planning ahead, sharing information, doing what they could to anticipate and prevent the incident from occurring?
- Read the records of the incident and clarify and challenge, if necessary, generalisations, assumptions, justifications etc. Unpick and simplify jargon.
- If the restraint technique or another physical intervention was used, ensure carers are able to demonstrate they applied it in keeping with procedures and guidance.

- Did everyone appear to behave reasonably in the circumstances? To what extent was the child/young person (or carer) set up by the actions of others; did anyone act in a way which provoked or increased the likelihood of the incident.
- Look beyond that which is stated in the record of the incident to what hasn't been included which should have been in the circumstances.
- If anyone was injured, check and note the outcome of any first aid or medical treatment offered/given.
- If physical intervention was used upon a child/young person, check and note the outcome of any first aid or medical treatment offered/given.

Consult and keep your Line Manager informed if required to do so, if the review is complex or potentially controversial or if you need assistance/support.

5.6 Analysing the Information

- Remain objective and look for developmental outcomes.
- Balance what actually happened against what was required by procedure and recognised good practice in the light of carers' experience, skills and knowledge.
- Consider how the child/young person acted in the light of his/her background, skills, and knowledge.
- Consider whether there are any training or other support mechanisms that ought to be put in place for carers. Is there a need for specialist help, support or counselling?
- Consult the social worker; consider whether any changes are required to the child/young persons Placement Plan; including new or amended expectations, strategies or interventions to help reduce or prevent the likelihood of a repeat incident. Is there a need for specialist or therapeutic help, support or counselling?
- Come to a decision, which can be sustained and which can be put into practice.
- Make sure everyone is informed of the outcome, and is given the opportunity to make comment.

6 Delegated Authority

- 6.1 Within the boundaries of the employee's role, management may request that carers carry out a delegated task.
- 6.2 Every effort will be made to give clear instructions when work is delegated to an employee. However, it is the responsibility of the employee to ask for clarification if they are unsure what is required of them. This may be in placement plans, placement information or risk assessments.
- 6.3 Employees who have not received training are not expected to undertake tasks for which they do not have the skills, knowledge or experience, or to undertake tasks which may result in harm to the carer or the young people in their care, unless tasks have been risk assessed and disclosed with the worker directly.
- 6.4 Carers are required to carry out any delegated tasks in line with **Children's Homes Regulations 2015 and Quality Standards** and arising from the **Care Standards Act 2000 section 23(1)**.