

Manitoulin-Sudbury District Services Board POLICY & PROCEDURES MANUAL	
Section: F. Children's Services	Effective Date: January 2010
Topic: 7. Operator Requirements	Replaces: 15.1 Serious Occurrence Reporting November 2004
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POLICY

Licensed Service Providers are responsible for ensuring that the services are provided in ways which promote the health, safety, and welfare of the clients being served.

Service Providers are required to submit information to the Manitoulin-Sudbury DSB which demonstrates that the delivery of services is consistent with the relevant legislation and expectations set by the Manitoulin-Sudbury DSB and/or Ministry of Education (MEDU). The procedures for reporting serious occurrences are intended to support the issues management processes of Service Providers and allow the Manitoulin-Sudbury DSB to monitor their performance.

It is expected that in the vast majority of occurrences, the information submitted by the Service Provider will result in the decision that no further action is required. Where it is decided that a Manitoulin-Sudbury DSB review is to be conducted, it will be undertaken with a view of supporting the Service Provider in meeting the legislation and established expectations.

PROCEDURE

Reporting Procedure:

Preliminary Inquiry

Immediate Notification of Coroner, Police and/or CAS as applicable and Executive Director or designated person of the licensed child care organization

Preliminary Inquiry Report

Written and signed by Executive Director or designated person of the licensed child care organization prior to leaving premises.

Initial Notification of Manitoulin-Sudbury DSB and Appropriate Parties

Executive Director or designated person of the licensed child care organization ensures appropriate notification within 24 hours of preliminary inquiry.

Submission of Preliminary Inquiry Report

Report signed by Executive Director, or designated person of the licensed child care organization, submitted to Manitoulin-Sudbury DSB and Board/Owner within

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five (5) working days of initial notification.

Service Provider Review

Where the Service Provider conducts a further review, a written review report is provided to the Manitoulin- Sudbury DSB and the Board/Owner within a period of time, approved by the Manitoulin- Sudbury DSB, that is reasonable considering the nature of the occurrence.

Manitoulin-Sudbury DSB

Where the Manitoulin-Sudbury DSB conducts a review, the review is to be completed within a period of time determined by the Manitoulin-Sudbury DSB that is reasonable considering the nature of the occurrence.

- Draft report to Service Provider
- Meeting between Manitoulin-Sudbury DSB and Service Provider
- Final Report provided by Manitoulin-Sudbury DSB
- Service Provider implementation plan to Manitoulin-Sudbury DSB

Serious Occurrences to be reported to the Manitoulin-Sudbury DSB and the Board/Owner:

1. Any death of a client which occurs while participating in a service;
2. Any serious or medical incident injury to a client which occurs while participating in a service;
3. Any injury to a client caused by the Service Provider;
4. Any abuse or mistreatment of a client which occurs while participating in a service;
5. Any complaint made by or about a client that is considered by the Service Provider to be of a serious nature;
6. Any complaint concerning operational, physical, or safety standards of the service that is considered by the Service Provider to be of a serious nature;
7. Any disaster, such as a fire, on the premises where a service is provided;
8. Any situation where a client is missing and the Service Provider considers the matter to be serious;
9. All injuries to clients which are non-accidental, including self inflicted, or unexplained, which require treatment by a medical practitioner, nurse, or dentist; and
10. All allegations and accusations of abuse or mistreatment of clients against staff, foster parents, volunteers, and temporary care providers.

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Abuse includes:

- To suffer physical harm;
- To be sexually molested or sexually exploited;
- To require but not be provided with medical treatment.
- With respect to children, abuse is defined in CFSA, Section 72 (1) and Section 37;
- CFSA, Section 72 (2) and (3) specify the duty to report to a Children's Aid Society (CAS) information regarding a child's need of protection and abuse.

Actions to be taken if a serious occurrence has occurred, or is suspected, include the following:

1. The client shall be provided with immediate medical attention when warranted.
2. Appropriate steps shall be taken to address any continuing risks to the client's health or safety.
3. In cases involving death, the Coroner is notified immediately.
4. The staff, or any other person, witnessing or having knowledge of the occurrence shall report the matter to the Executive Director or the person designated by the Executive Director to conduct preliminary inquiries.
5. The Executive Director, or designated person, shall conduct a preliminary inquiry immediately. The purpose of the preliminary inquiry is to gather information regarding actual or alleged occurrences.
6. All persons having knowledge of the occurrence should remain on the premises until they have been interviewed by the Executive Director or the designated person.
7. A preliminary inquiry report* shall be written and signed by the Executive Director or designated person before he/she leaves the premises.

The report should include the following:

- Description of the occurrence
- Client's allegation (if applicable)
- Date, time, and place where it occurred
- Reporting time
- Reason for the occurrence (if known)
- People involved
- Action taken
- Current status

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- Parties notified (Police, CAS, Coroner, and Parent as applicable)
- Further action recommended

If on the basis of the preliminary inquiry, there is reason to suspect that a client has been abused; The Executive Director or designated person of the licensed child care organization will immediately contact the Police and/or Children's Aid Society and obtain direction.

If the preliminary inquiry is conducted by a designated person, the Executive Director is immediately notified.

Action/Recommendations from the Preliminary Inquiry

The Executive Director, or designated person of the licensed child care organization, is responsible for determining whether an incident described in a preliminary inquiry is deemed to be a serious occurrence as defined by these procedures and whether, therefore, it should be reported to the Manitoulin-Sudbury DSB and the Board/Owner.

When a serious occurrence has taken place, the Executive Director or designated person of the licensed child care organization shall ensure that:

1. Where applicable, the Coroner, Police, and/or CAS have been informed of the occurrence;
2. Within 24 hours, Manitoulin-Sudbury DSB and the Board/Owner are informed.
 - Note: Manitoulin-Sudbury DSB has no capacity for after hours reporting;
3. Within 24 hours the parent, guardian, advocate and, where applicable, the person or agency who placed the client are informed unless the person to be notified is alleged to have abused the client;
4. Where abuse by a staff member is alleged, the possible suspension of the staff is to be reviewed by the Board/Owner. The Manitoulin-Sudbury DSB is to be informed of the outcome of the review; and
5. The initial verbal notification to the Manitoulin-Sudbury DSB is to be followed, within 5 (five) working days, by the submission to the Manitoulin-Sudbury DSB and
6. Board/Owner of the written preliminary inquiry report signed by the CAO. The report shall identify all persons involved by their first name and first initial of their last name.

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Further Review Procedures

When the Manitoulin-Sudbury DSB is notified of a serious occurrence, the following steps will be taken:

1. Upon receipt of the initial verbal notification from the Service Provider, the Manitoulin- Sudbury DSB shall determine whether the occurrence is of a contentious nature requiring initiation of the Manitoulin-Sudbury DSB contentious issue reporting procedure.
2. Upon receipt of the written preliminary inquiry report, the Manitoulin-Sudbury DSB shall determine if
3. No further action is required;
4. The Service Provider should conduct a further review; or
5. The Manitoulin-Sudbury DSB will conduct a review.

Where the Manitoulin-Sudbury DSB's decision is that no further action is required:

- The preliminary inquiry report is to be signed by the Manitoulin-Sudbury DSB and placed in the Service Provider's file.

Where the Manitoulin-Sudbury DSB's decision is that further action is required:

- The Service Provider conducts a further review, a written review report will be provided to the Manitoulin-Sudbury DSB and the Board/Owner within a period of time approved by the Manitoulin-Sudbury DSB that is reasonable considering the nature of the occurrence.
- Upon receipt of the report, the Manitoulin-Sudbury DSB will determine whether no further action is required or a Manitoulin-Sudbury DSB review is to be undertaken.
- The Manitoulin-Sudbury DSB conducts a review; the review will be completed within a period of time determined by the Manitoulin-Sudbury DSB that is reasonable considering the nature of the occurrence. The review may include the involvement of Ministry of Education (MEDU). All relevant documentation will be examined and staff, client and parents/guardians may be interviewed.
- A draft report, signed by the Manitoulin-Sudbury DSB, will be provided to the Service Provider. The report will include conclusions and may recommend further actions and a follow-up process. A review by MCSS Investigations Unit or an Operational Review may be recommended. A meeting between the Manitoulin-Sudbury DSB and the Board/Owner, Executive Director and relevant staff, to review the draft report, will be

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convened. A final report will be provided to the Board/Owner by the Manitoulin-Sudbury DSB.

Where the Manitoulin-Sudbury DSB's decision is that further actions are recommended, the Service Provider will submit an implementation plan signed by the Board/Owner and CAO.

- Follow-up

Where recommendations for further action have been agreed to the Service Provider will submit an implementation plan to the Manitoulin-Sudbury DSB. The Board/Owner and the Manitoulin-Sudbury DSB will sign off on the plan once the follow-up issues have been resolved.

Co-ordination with MEDU

Given that licensed child care service providers are required to submit serious occurrence reports to MEDU, the Manitoulin-Sudbury DSB will copy all reports (initial, preliminary and final) to MEDU. Each party may request to participate in the investigative process. However, the lead responsibility for investigation rests with MEDU for licensed sites and with the Manitoulin-Sudbury DSB for special needs programs and Resource Centres.

Annual Summary

An annual Summary and Analysis of all serious occurrences is to be provided by the Executive Director to the Manitoulin-Sudbury DSB and the Board/Owner. This report is to be submitted by January 31 of each year to address the previous calendar year.

The annual reports will be analyzed by the Manitoulin-Sudbury DSB to identify any patterns related to an individual service provider and possible issues regarding groups of Service Providers which suggest a need for training, support or policy modifications.