

Need to Know Protocol

Adult & Children's Services

Gloucestershire County Council

Introduction

This protocol has been developed to ensure that there are well understood arrangements for reporting and advising on serious incidents concerning individual children, adults and families. It is also designed to enable the Director of Adult services (DASS) and the Director of Children's services (DCS) to fulfil their statutory responsibilities.

1. Definitions

Serious incidents in a range of contexts are outlined below. The guidance aims to be as comprehensive as possible but will inevitably omit some circumstances. If there is any doubt, staff must consult with their line manager about the possible need to report an event or incident.

2. Implementation and Review

Immediate implementation.

Review: April 2016.

3. Mandatory Procedure

This guidance sets out the mandatory reporting requirements for staff and services commissioned by GCC. Failure to report incidents may mean that a child or young person, an adult with care and support needs, parent, individual or member of staff/workforce is placed at risk of being harmed. Failure to report may also result in bringing GCC into disrepute. Failure to follow these procedures may be grounds for disciplinary action or capability proceedings within GCC; commissioned services will also have their own arrangements.

4. Circumstances where a 'Need to Know' Briefing is Always Required

The following 6 key areas represent categories of events which must be notified up the line management chain using the 'Need to Know' procedure. Each category has listed examples but note that these may not be exhaustive. If there is any doubt about the need to notify senior managers, staff must consult with their line manager about the possible need to report an event or incident.

1. Serious incidents involving children or adults known to Children and Adults Operational Services:
 - Serious incidents or accidents;
 - Sudden unexpected death of a child or adult with care and support needs;
 - Allegations against people who work with children and/or adults with care and support needs;
 - Notifications of serious incidents in fostering or adoptive placements, or residential establishments in the GCC local authority area;
 - Cases of serious communicable diseases in residential premises;
 - Children known to Children's Services who are missing overnight, or for more than four hours if the child is aged under 12;
 - Any actual or likely media coverage relating to a child in need, a child with a Protection Plan, or a child Looked After, or an adult with care and support needs.

2. Serious Incidents involving staff :

- Assaults or threats to staff/members of the workforce
- Serious illness, injury or death of a member of staff/ members of the workforce
- Allegations against a member of staff that might lead to serious disciplinary action/ police action;
- Any media coverage relating to members of staff or workforce, which may impact on the County Council.

N.B. for GCC staff some of these incidents have separate reporting procedures under Health and Safety legislation via the SHE unit (see <http://staffnet.gloscc.gov.uk/she>)

Other organisations will have their own health and safety arrangements.

3. Service Premises and Schools:

- Serious or significant damage resulting from floods, accidental fire, etc.;
- ICT system failures or faults which may impact upon operational functioning;
- Significant vandalism or burglary;
- Any incident of arson.

N.B. Some of these incidents have separate reporting procedures under H&S legislation via the SHE unit for county council staff/ maintained schools (see <http://staffnet.gloscc.gov.uk/she>)

4. Significant Legal Proceedings:

- Legal proceedings involving children and young people and adults (not including care proceedings - these are dealt with through the councils delegated decisions document);
- Staff working for or with GCC Children's and/or adult services;
- Members of the workforce in commissioned services;
- Any that relate to the business of the County Council;
- Proceedings and judgements likely to attract public and/or media interest. This will include criminal trials resulting from child protection proceedings and youth offending;
- Those with potentially high financial or policy implications;
- Inquests.

5. Serious Complaints and Controversies

Serious complaints and representations about Children's or Adult Services, or about persons employed by them, must be notified to the relevant Senior Manager and the Director. The Senior Manager is responsible for notifying the corporate complaints team and ensuring that a response is provided within the specified timescale. They will also be responsible for briefing the relevant Director* about:

- Matters of public debate or anxiety;
- Major complaints implicating the service;
- Matters likely to attract adverse local or national press coverage;

- Any matter which has, or is likely to attract the attention of the media, Members of the County Council, or Members of Parliament;
 - Directors and Senior Managers need to ensure that the Director of Children's Services (DCS) and the Director of Adult Services (DASS) are aware of such serious issues as soon as practicably possible. Senior managers must consider the need to alert the DCS/DASS as soon as possible directly, based on the availability of relevant Directors.
6. Requests for information from representatives of regulatory bodies or the Departments of Health and/or Education.

All contact with regulatory bodies (e.g. Ofsted, CQC) or government bodies must be reported to the responsible Senior Manager. If a meeting is being requested or a substantive written reply (including e.mail) is required, this should be notified to the Senior Manager before the meeting takes place or written communications are sent.

The relevant Senior Manager should be notified immediately of any routine inspections of regulated services and they will be responsible for informing the relevant Director.

5. Procedure and Individual Responsibilities

During normal office hours: All notifications that fit the above criteria should be made as soon as practicable on the day that frontline staff become aware of them.

Outside normal office hours: should the Emergency Duty Team become aware of any of the above events, they should inform the Duty Senior Manager as soon as practicable. The Duty Manager will make a decision, based on the seriousness of the event, about whether to escalate through immediate notification to the relevant Director, or initiate the "Need to Know" process on the next working day.

Frontline workers, (social workers, residential staff, family workers) must in the first instance notify their immediate line manager/Team Manager as soon as they become aware that any of the events listed above have occurred.

All serious incidents must be reported in the first instance to the immediate line manager for the team e.g. Senior Manager/Locality Manager and through them on to the relevant Director. If the responsible Manager is not available then notification should be made directly to the more Senior Managers. **Reporting must not be delayed by absence.**

If there is any doubt about whether a particular event falls within the remit of this policy the appropriateness of onward notification should be discussed with the responsible Service Manager.

In cases that involve acts of commission or omission by staff or carers that have or may result in harm to children, young people or adults with care and support needs, Team Managers after consultation with the relevant Senior Manager are responsible for informing the Local Authority Designated Officer (LADO) or the Designated Safeguarding Adults Manager (DSAM) .

The Receiving Senior Manager is responsible for onward notification of events to the Directors but they may determine that an incident does not meet the 'Need to Know' threshold.

Directors/ DCS/DASS will decide about the need to notify other Directors and/or the Chief Executive's office. They will also determine whether or not there is a need to inform the Lead Cabinet Member, other Members, Communications Team and/or Human Resources.

If it is an emergency or a very serious incident, contact should always be made with the Senior Manager or with another member of the senior management team by telephone, or in person.

Emergency contact numbers for out of hours contact have been issued to relevant staff. The initial contact should be followed by e-mail as soon as is practicable.

For internal notifications the e-mail notification using the template below (appendix 1) should include the words 'NEED TO KNOW' and whether it refers to a 'CHILD', 'YOUNG PERSON' or 'ADULT' in the subject heading. The e-mail should be marked as urgent and sent to the responsible Senior Manager.

The Senior Manager must take responsibility for onward circulation including sending the notification to the GCC user account 'Need to Know' needtoknow@gloucestershire.gov.uk

The purpose of the form is to alert senior officers to an incident and to provide information needed to form an initial opinion on what, if any, action is required. It is not intended to be a full report.

Updates

As the situation develops, it will be necessary to provide regular updates to the Senior Manager for onward circulation. Updates should be provided whenever there has been a significant change to the situation e.g. when a criminal court case is imminent.

Completion

When a situation has been resolved, this needs to be confirmed with the lead officer by e-mail and the message copied to the 'Need to Know' e-mail box needtoknow@gloucestershire.gov.uk

For formal incidents there will be a formal debriefing meeting where learning points can be identified.

* Directors in this context means:-

- GCC Director Safeguarding and Care
- GCC Director Education. Learning and Libraries
- Prospects Director Youth Support Service
- Gloucestershire Care Services Directors
- GCC Operational Lead Adults
- 2gether Directors

Appendix 1

NEED TO KNOW EMAIL TEMPLATE:

INVOLVING A CHILD, YOUNG PERSON or AN ADULT WITH CARE AND SUPPORT NEEDS*

(*delete as appropriate)

Please complete this form with as much information as possible, adding more detail if appropriate. Forward to the 'Need to Know' distribution list agreed for your team, including the 'Need to Know' mailbox: needtoknow@gloucestershire.gov.uk

Entitle the email : **URGENT NEED TO KNOW (*CHILD, *YOUNG PERSON, * ADULT)**

***delete as appropriate**

This email has been sent to you as part of the council's 'Need to Know' Procedure. This email has been sent to you because there has been a serious incident involving a ***child / *young person/ * adult with care and support needs**

(*delete as appropriate)

Please find below details of the child, young person or adult with care and support needs along with details of the child's parent, carer or legal guardian and/or carers:	
Forename (s):	
Surname:	
Date of Birth:	
Parent, Carer or Legal Guardian/ Carers/ Family: (please indicate)	
Please find below detail of the Incident:	
Where the incident took place:	
Details of incident/ issue	
Planned action	
Name/ role	Date

This form contains sensitive personal data; therefore the completing, viewing, recording and distribution of this should be in accordance with the Data Protection Act 1998 and Gloucestershire County Council local policies and procedures. If you are unsure how to handle this information please consult staffnet for information or if you require further guidance please call the Information Management Team for advice.