UNEXPECTED DEATH OF A CHILD OR STAFF MEMBER AT A SERVICE POLICY

The sudden and unexpected death of a child or staff member at a Service is a traumatic event that can have a profound impact on educators, children and families. Even well-trained and experienced staff can experience strong emotions and traumatic stress responses.

The role of our Service is to help restore a sense of safety and support the wellbeing of children, educators, and families following a traumatic event. Where a death occurs, the Service will ensure all mandatory reporting requirements are met, and appropriate support is provided to assist children, educators and families to manage distress, grief and bereavement.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community

EDUCATION AND CARE SERVICES NATIONAL LAW AND REGULATIONS	
S. 2A	Paramount consideration—safety, rights and best interests of children
S. 3A	Paramount consideration [NSW]
S. 174	Offence to fail to notify certain information to Regulatory Authority
12	Meaning of serious incident
85	Incident, injury, trauma and illness policies and procedures

175	Prescribed information to be notified to Regulatory Authority
176	Time to notify certain information to Regulatory Authority
183	Storage of records and other documents

RELATED POLICIES

Administration of First Aid Policy	Incident, Injury, Trauma and Illness Policy
Administration of Medication Policy	Medical Conditions Policy
Anaphylaxis Management Policy	Road Safety Policy
Asthma Management Policy	Safe Storage of Hazardous Chemcials Policy
Child Protection Policy	Sleep and Rest Policy
Epilepsy Policy	Water Safety Policy
Health and Safety Policy	Work, Health and Safety Policy

PURPOSE

Our Service will ensure that management, staff and educators follow the procedures and principles outlined in this policy and that immediate and appropriate action is taken to notify relevant authorities following the unexpected death of a child or staff member whilst at the Service. There are a number of legal requirements to adhere to following the tragic event of the death of a child or staff member at a Service, as outlined below.

SCOPE

This policy applies to children, families, staff, educators, management, approved provider, nominated supervisor, students, volunteers and visitors of the Service.

IMPLEMENTATION

All actions and decisions will be guided by the principle that the safety, rights and best interests of children are paramount. The Service will maintain appropriate procedures, resources and staff knowledge to support a coordinated response and ensure responsibilities are clearly understood.

SERIOUS INCIDENT – DEATH OF A CHILD

Regulation 12 defines a serious incident involving the death of a child as:

(a) The death of a child –

I. while that child is being educated and cared for by an education and care service; or

II. following an incident occurring while that child was being educated and cared for by an education and care service.

NOTIFICATION – DEATH OF A CHILD

Under the National Law and National Regulations [S.174(2)(a) and Reg. 176 (2)(a)(i)], the approved provider must notify the regulatory authorities of the death of a child as soon as practicable, but within **24** hours of the death or becoming aware of the death. Notification must be made through the National Quality Agenda IT System (NQA IT System).

INCIDENT NOTIFICATION - STAFF MEMBER

Notifiable deaths must be reported immediately after the Service becomes aware of the incident. The Service must follow the notification requirements of the applicable state or territory Work Health and Safety (WHS) legislation and regulator. See the Contact Details for WHS Regulators section.

Although there is no specific requirement stipulated in the National Law and National Regulations for reporting a death of a staff member, the approved provider must notify the regulatory authority if any circumstance arises at the Service that poses a risk to the health, safety or wellbeing of a child or children attending the service [Reg.175(2)(c) and Reg.176(2)(c)]. Notification must be made within 7 days. If emergency services attend the Service in response to an emergency, the approved provider must notify the regulatory authority within 24 hours [S. 174(2)(a); Reg. 12(d)].

KEEPING CHILDREN'S RECORDS

In the event of the death of a child while being educated and cared for by the Service, records relating to the death must be kept for 7 years after the date of the child's death. [Regulation 183 (2)(c)]

INITIAL ACTION AND IMPLEMENTATION OF POLICY

Management, staff and educators will take immediate and appropriate action following the death of a child or staff member whilst at the Service. Depending on the circumstances, they will:

1. assess the situation and ensure the immediate safety of children, staff and others present
2. call 000 for emergency assistance and provide first Aid and/or cardiopulmonary resuscitation (CPR) where appropriate
3. follow the directions and protocols of emergency services and Police, as applicable
4. notify the Approved Provider (if not at the service)
5. notify the child's parents/guardians or the staff member's emergency contact, as appropriate and in accordance with the directions of emergency services or Police
6. not advise parents/guardians of the death of their child: medical staff/emergency services will advise families of the situation

7. complete in detail the Service's *Incident, Injury, Trauma and Illness* form
8. notify the regulatory authority of the death of a child as soon as practicable, but within 24 hours, through the National Quality Agenda IT System (NQA ITS)
9. notify the relevant WHS regulator immediately where the death is a notifiable incident under applicable state or territory WHS legislation
10. secure the area around where the death occurred, where required, to prevent further incident or injury and to comply with any requirements relating to the preservation of the incident site
11. contact the Service's insurance company.

THE APPROVED PROVIDER/ NOMINATED SUPERVISOR/ MANAGEMENT WILL:

- ensure educators, staff, students, visitors and volunteers have knowledge of and adhere to this policy
- transition children away from the area ensuring their safety and wellbeing as reasonably practicable
- follow directions and advice provided by the Police, emergency services, the regulatory authority and relevant WHS regulator, as applicable. Request support for protocols when notifying families and children; sharing information with a co-ordinated and effective response and assistance to manage social media adhering to privacy and confidentiality laws
- ensure information is communicated sensitively and appropriately, while maintaining privacy and confidentiality requirements
- ensure parents, families, children and educators receive adequate and appropriate post-incident support
- respect and respond to the cultural, family and individual needs of children, families and staff
- preserve the incident site and relevant evidence where required and in accordance with applicable legislation and directions from authorities
- maintain accurate and detailed records relating to the incident
- seek legal advice where required
- establish protocols for staff and educators to discuss and process the traumatic event
- remind staff of the Service's social media, privacy and confidentiality protocols
- provide professional and sensitive communication with families of the Service
- engage the services of appropriate health professionals, including counselling or employee assistance services and support for staff
- co-operate on an ongoing basis with agencies involved in the investigation.

CARING FOR THE WELLBEING OF EDUCATORS, CHILDREN AND FAMILIES

Our Service will engage health professionals who may include child and family counsellors and psychologists to support our educators, children and families during this profoundly difficult time. Health professionals will provide guidance to educators to be sensitive and mindful of the impact such an event has had on all stakeholders. With professional guidance and support, we will encourage children to express their emotions and feelings and implement strategies to assist and guide children through the grieving process and re-engage children in learning.

Educators will support children's understanding of grief and loss by:

- answering questions simply and honestly
- allowing children to express their emotions and feelings
- providing appropriate comfort
- implementing a range of learning experiences to express their thoughts, including drawing, movement and play
- creating a safe space for time alone when needed
- maintaining familiar routines and providing a consistent, supportive environment where possible.

Our Service will seek advice and support from health professionals to provide appropriate materials to send home to families to assist in understanding the effects of trauma on children and possible changes in behaviour following the unexpected death of a child or staff member in our Service. The Service will provide appropriate support to families, recognising that individuals and families may respond to grief and trauma in different ways.

Our Service will support staff members who may be deeply affected by the loss of a child or colleague by the following actions:

- providing access to grief counselling as soon as possible
- being present as a team to support one another on a day-to-day basis
- providing opportunities for staff to grieve privately, including flexible rostering where possible
- contacting other early childhood services or providers in our network/community to assist with emergency staffing support if needed
- providing the opportunity for colleagues to attend the funeral where appropriate
- closely monitoring staff wellbeing and offering immediate support
- discussing employee leave entitlements, including applicable personal, long service and unpaid leave
- promoting self-care for all staff in the workplace.

CONTINUOUS IMPROVEMENT/REFLECTION

Our *Unexpected Death of a Child or Staff member at the Service Policy* will be reviewed annually or earlier if there are changes to legislation or ACECQA guidance, or any incident related to our policy. Feedback will be requested from children, families, staff, educators and management. All families will be notified 14 days before any policy change that may have a significant impact on the provision of education and care to any child enrolled at the Service or the family's ability to utilise the Service, or earlier in line with the *Governance Policy*.

SUPPORT SERVICES

Support service	Telephone	Website
Be You	N/A	beyou.edu.au
Beyond Blue	1300 224 636	beyondblue.org.au
Headspace	1800 650 890	headspace.org.au
Lifeline	13 11 14	lifeline.org.au
Kids Helpline	1800 55 1800	kidshelpline.com.au
Griefline	1300 845 745	griefline.org.au
National Centre for Childhood Grief	1300 654 556	childhoodgrief.org.au

CONTACT DETAILS FOR WHS REGULATORS

To notify a 'notifiable incident' contact the local regulator:

Jurisdiction	Regulator	Telephone	Website
Victoria	WorkSafe Victoria	1800 136 089	worksafe.vic.gov.au

SOURCES

Australian Children's Education & Care Quality Authority. (2026). *Guide to the National Quality Framework*
Education and Care Services National Law Act 2010
Education and Care Services National Regulations 2011
Safe Work Australia. (n.d.). Incident notification
Safe Work Australia. (n.d.). WHS regulators and workers' compensation authorities contact information
Work Health and Safety Act 2011.

REVIEW

POLICY REVIEWED	OCTOBER 2026	NEXT REVIEW DATE	OCTOBER 2027
VERSION NUMBER	V13.10.26		
MODIFICATIONS	• annual policy review • added paramount consideration statement and added the implementation section • reviewed and adjusted notification requirements • streamlined the initial response procedures, removing duplicated actions and clarifying responsibilities • updated wellbeing and grief support strategies for children, families and educators following the death of a child or staff member • updated sources and references as required		
PREVIOUS MODIFICATIONS			
OCTOBER 2025	• annual policy review • minor edits • all contacts for each state/territory check and updated if required		
OCTOBER 2024	• annual policy maintenance • merged *Unexpected Death of a Staff Member Policy* with this current policy • sources checked for currency		