

**Child Welfare
Administrative Memo #4-2007**

To: Protection and Safety Administrators, Supervisors, and Workers
Youth Rehabilitation and Treatment Center Staff
cc: Todd Landry, Director, Division of Children and Family Services
Chris Peterson, CEO, DHHS

From: Todd Reckling, Policy Section Administrator
Children and Family Services

Date: October 22, 2007

Re: Critical Incident Reporting

Effective Date: Immediately

Duration: Until changed.

Contact Person: If you have any questions regarding this Administrative Memo, contact Suzanne Schied at (402)-471-9245.

Critical Incident Reporting

Protection and Safety Workers, Office of Juvenile Services Workers and Youth Rehabilitation and Treatment Center staff will report **by phone and e-mail all Critical Incidents to their supervisors immediately, but no later than one hour after learning of the incident.** The supervisor will immediately report via e-mail to all of the following individuals: a) the local Protection and Safety Administrator, b) the Service Area Administrator, c) the Administrator of the Children and Family Services Policy Section, d) the Administrator of the Child Welfare Unit within the Policy Section, e) the Administrator of the Office of Juvenile Services within the Policy Section (for delinquents only), f) the Director of the Division of Children and Family Services, g) the Administrator of Communications and Legislative Services and h) Legal Services in Central Office.

The Director of the Division of Children and Family Services will be responsible to contact the Chief Executive Officer of DHHS and other state officials as appropriate. If the Director is not available, the designee who the Director has specifically delegated his/her authority to during his/her absence (i.e. Policy Section Administrator or one of the Service Area Administrators) will be responsible to fulfill such notification duties.

This information will be used to:

- Increase the Department's accountability to the public by gathering and aggregating information about areas where DHHS is doing well, and areas where there is need for improvement;

- Identify areas of potential liability to DHHS. Child specific information is confidential and it is work product prepared by DHHS to respond to potential litigation.

The term Critical Incident includes, but is not limited to:

1. Death of a child/youth resulting from abuse or neglect;
2. Near fatality, life threatening condition or serious injury of a child/youth resulting from abuse or neglect;
3. Suicide, or attempted suicide of a state ward or child/youth DHHS is involved with;
4. Death of a state ward or child/youth DHHS is working with by other means, accidental or non-accidental;
5. Death or non-accidental serious injury of a staff person while on the job;
6. Elopement of a youth from a YRTC facility;
7. Allegations or arrests of DHHS youth for serious illegal/criminal activity (i.e. homicide; manslaughter; near fatality of another person; sexual assault; assault – first or second degree; aggravated or armed robbery; etc.)
8. Any other event that is highly concerning, poses potential liability, or is of emerging public interest, such as contacts involving the media;
9. Any other incident designated by the Director.

This listing is not exhaustive and is meant to be used as a minimum guide, and not an absolute list. There may be situations other than the ones listed above that should be communicated with administration. If there is any question about an incident and whether or not it should be reported, please consult with a supervisor or local administrator.

Any media inquiry about a Critical Incident should be immediately referred to the Communications and Legislative Services Division of DHHS. Communications and Legislative Services staff will be the contact with any media.

The following is specific information that is to be provided to the supervisor. If all information is not initially available, it will be provided when it is obtained. In the event of a Critical Incident as defined above, include:

- a. Child/youth's name
- b. Child/youth's date of birth
- c. Circumstances and date of Critical Incident
- d. DHHS involvement (custody, CAN referral(s), other, none) prior to the incident
- e. If the child/youth or other children in the family were ever previously state wards or had any involvement with DHHS, or any prior Intake reports on the child, family or other siblings.
- f. Child/Youth's placement at time of incident
- g. If the incident occurred in an out-of-home setting (or temporary setting for the child such as a child care location or respite), the name of the provider, address, and telephone number.
- h. Location/placement of child/youth following the incident
- i. Custody status of child/youth following the incident
- j. Alleged perpetrator and relationship to child/youth victim, if applicable
- k. Name and address of parent/caretaker
- l. Siblings, if applicable
- m. Emergency actions taken to protect other children/youth in the household or placement setting, if applicable. Emergency actions taken to protect the public.
- n. Contracting agency or agencies involved with child/youth and family
- o. Adjudication type (i.e. abuse/neglect, status offender, delinquent, dual adjudicated)
- p. Length of time in custody of DHHS if a state ward

In the event of a staff person's death or serious non-accidental injury while on the job include:

- a. Staff person's name
- b. Job title and location
- c. Circumstances and date of critical incident

- d. Name and relationship of perpetrator, if any
- e. Name and telephone number of staff person's immediate supervisor.

Child Death Cases

Despite the best efforts of communities, law enforcement, and the Department, some children will die of child abuse or neglect each year. The Department will attempt to learn from each of these tragic events.

When a child dies under circumstances in which abuse or neglect may be the cause, or a contributing factor, Department staff will take the following actions:

- Follow the Critical Incident Protocol cited above;
- Service Area Administrator or other administrator will collect the file and any other documentation or information on the child/family and secure the information immediately;
- Intake PSW will designate "Child Death" on the intake CAN Factors section of N-FOCUS;
- Intake PSW will enter the report as "Accept for Assessment" for all cases where a child died and abuse or neglect may have been the cause of the death, or a contributing factor to the child's death, even if there are no other children in the household/ family;
- Coordinate Department response with the appropriate law enforcement agency;
- Unless prohibited by law enforcement, the assigned worker will complete an assessment on all parents/caregivers responsible for the child. Purpose of the assessment is to determine what each person's role in the incident was, what they knew or should have known, and to determine if their actions or in-actions contributed to, or allowed the child's death to occur.
- Request review by the local 1184 Team.

At the conclusion of the law enforcement investigation and Department assessment, the worker will enter the case status determination on the Central Register. At that time, if it has been determined by credible evidence that the death was caused by abuse or neglect, or abuse or neglect was a contributing factor to the child's death, the worker will document this on N-FOCUS by the use of the Death Indicator. The worker will carefully match the allegation and identified perpetrator, and will update any "Court Pending" entries at the conclusion of any court action.