

S-109 RULES AND REQUIREMENTS FOR REPORTING AND INVESTIGATING THE DEATH OF A CHILD



In this document, words used in the masculine gender apply to anyone.

Version 2 effective May 27, 2009

(previously DG-11)

Object

Policy

Agency staff must cooperate fully with all participants such as the coroner, the police and Ministry representatives during an investigation into the death of a child.

We must review and revise policies and guidelines at all levels of the organization in the event of the death of a child who has received our services in order to demonstrate the Agency's willingness to ensure the safety and well-being of children within our community.

1.1. Steps to follow and staff responsibility

Steps to follow	Timeline	Staff Responsibility
Notify the Executive Director and the President of the Board of Directors	Immediately	Worker/Supervisor
Send "Serious Occurrence Notification Report" to the MCYS**	Immediately	Worker
Send Child Fatality Report and Case Summary - non-identifying version to the MCYS**	Within 14 working days	Worker
Send identifying versions of the following documents to the Coroner: Child Fatality Report and "Serious Occurrence Notification Report"	14 days	Worker

**Documents to be sent to the Ministry of Children and Youth Services (MCYS). Documents must be sent to the Quality Control Services Team Assistant and will then be transmitted to the Program Supervisor responsible for the Ministry of Children and Youth Services' Regional Office.

1.2. Reporting

All reports must be completed in conjunction with the Supervisor, who will approve and sign the reports. One copy of each report sent to the Ministry and the Coroner will be submitted to the Executive Director, as to the Quality Control Services staff. One copy will be retained in the child's file or the child's parents' file.

Subsequent actions, if applicable:

1. Internal Investigation into the Death

If the Ministry of Community and Social Service's Regional Office and Valoris feel that it is necessary to investigate the child's death, the Quality Assurance Supervisor will oversee the investigation. The Executive Director will be advised of all actions and may participate if necessary. The Ministry of Children and Youth Services' Program Supervisor will be invited to attend the investigation meeting with all professionals involved.

The investigation process must include the following steps:

- Complete examination of the file on the services provided to the child and the child's family;
- Review of the decision taken to conduct a protection investigation into the death of the child;
- Interview with all staff members involved (including former employees);
- Coordination of an investigation meeting including professionals from other services;
- Analysis of the services for adherence to Ministry requirements, Agency policies and procedures, and 'best practices';
- Development of conclusions and recommendations concerning services provided by Valoris.

The internal investigation report must be approved by the Executive Director and sent to the Program Supervisor for the Ministry of Children and Youth Services within 60 days following the child's death. The report will also be presented to the Board of Director's Quality Service and Complaints Committee.

2. Ministry Investigation

Upon receipt of the investigation report prepared by Valoris, the Regional Office will proceed with a Ministry investigation, which includes essentially the same steps as the internal investigation. This investigation is aimed at holding Valoris accountable for the care provided to the child prior to his/her death, fulfilling the Office's role of supervising Agencies, ensuring that the internal examination was properly conducted, determining the adherence to Ministry requirements and formulating recommendations. The Regional Office will submit its report to the Assistant Deputy Minister and the Child Services Coordinator.

The Regional Office will present Ministry reactions and a final report to the Board of Directors of Valoris.

3. Coroner's Investigation

The local Coroner will also lead an investigation into the child's death in conjunction with the police. The Coroner will obtain a warrant providing access to relevant files at Valoris. The Coroner's report will be sent to the Child Death Review Committee for recommendations. A copy of this report will be sent to the Executive Director, and Valoris will take the necessary measures for follow-up.

4. Implementation of recommendations

Service Supervisors will be responsible for implementing recommendations from the Ministry and the Coroner. The Quality Assurance Supervisor will be responsible for ensuring and assessing the implementation of these recommendations, and will present quarterly progress reports to the Board of Directors and the Regional Office of the Ministry of Children and Youth Services.

Procedure

1. Notification of the Executive Director : Reminder

The death of a child is considered a “serious occurrence” that must be reported immediately to the Executive Director, who may declare an official day of mourning for the entire organization (flags at half-mast, service closures...).

2. Death of a ward of the Agency or of the Crown

In such instances, the Agency is considered the child’s legal parent and as such must take all required measures (funeral arrangements) and costs, if required; the child’s natural family and/or foster family must be included in all decisions.

3. Support for the individuals close to the child

The Supervisor must ensure that staff members provide the required support to individuals close to the deceased. The Supervisor must also ensure that staff members receive the necessary support (i.e. replacement in order that they may tend to the situation, employee assistance program, etc.).

4. Expressions of Sympathy

The Supervisor will coordinate expressions of sympathy to the family (flowers, dedication of a mass, donation) upon consultation with the family and/or the foster family. One or more official representatives of the Agency will attend the funeral.

Definitions, annexes and references

References

Ministry requirements:

When a child dies while under the care of Child Protection Services or in the 12 months following an intervention, the Ministry requires a thorough review of the file. In addition, if the child dies under suspicious circumstances or following abuse, cruelty or parental neglect, the Ministry will determine whether the Agency acted in accordance with the Ministry’s expectations and legislative requirements aimed at child protection. This guideline complements Policy and Procedure S-108: “Reporting Serious Occurrences to the Ministry”.