| Department of Health and Human Services<br>CHILDREN AND YOUTH SERVICES | Tasmanian Government |
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# Reviewable Events Policy

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| **SDMS Id Number:** | |
| **Effective From:** | 30 October 2014 |
| **Replaces Doc. No:** | New Policy |
| **Policy Pillar** | To be completed once relevant Policy Pillar is finalised/identified. |
| **Custodian and Review Responsibility:** | Children and Youth Services - Quality Improvement and Workforce Development (QI&WD) |
| **Contact:** | REDACTED |
| **Applies to:** | All CYS Staff |
| **Policy Type:** | Operational |
| **Review Date:** | 30 October 2015 |
| **Key Words:** | Subject Review, Reviewable Event, Reviewable Events Committee, Reviewable Events Unit, Child Death, Serious injury, Serious Event |
| **Routine Disclosure:** | Yes |

## Approval

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| Prepared by | REDACTED | REDACTED | REDACTED | 28 August, 2014 |
| Through | REDACTED | | | |
| Cleared by | REDACTED | | | |

## Revision History

| Version | Approved By Name | Approved By Title | Amendment Notes |
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## Purpose

- This policy applies to all Children and Youth Services employees and applies across all program areas of CYS. The policy describes the obligation and responsibility to act as required by this policy following the occurrence of 'reviewable events'.
- The policy intent is to establish a state-wide framework within which CYS policy and practice can be systemically strengthened following the occurrence of a 'Reviewable Event' (or a series of like events) through 'Subject Reviews' that aim to promote organisational learning, influence practice and drive systemic improvement across the organisation.
- Children and Youth Services (CYS) recognises the need to continuously promote organisational learning, influence practice and drive systemic improvement across the organisation so as to improve outcomes for children and their families.
- The implemented policy establishes:
    - a unified, state-wide framework and approach to the review and audit of reviewable events
    - a Reviewable Events Committee, chaired by the Deputy Secretary Children that provides reports to the ELT on findings and recommendations arising from reviews
    - a discrete and functionally separate 'Reviewable Events Unit'[1] reporting to the Manager—QI&WD, that is responsible for review and audit functions and for supporting the role and function of the Reviewable Events Committee, and
    - audit and monitoring of:
        - instances of reviewable events and actions arising from individual reviews and,
        - all Care Concerns (in compliance with the *Responding to Care Concerns Impacting on a Child in Out of Home Care* Policy) whether or not a reviewable event.

## Definitions

Reviewable Event refers to:

**1.** the death of a child or a child sibling of a child who is in receipt of services from statutory child protection or custodial youth justice or who had received services in the preceding 3 years.

**2.** instances of a death to a child who is in receipt of Child Health and Parenting Services

**3.** a serious event resulting in serious harm, alleged serious harm, or risk of serious harm, to a child in receipt of services from CYS and including but not limited to:

**2.1** serious non-accidental injury (physical or psychological)

**2.2** self harm and attempted self harm

**2.3** an alleged severe abuse and/or neglect of a child in care concern as defined by the *Investigations of Severe Abuse or Neglect of a Child in Out of Home Care* Procedure (Schedule 2)*).*

**2.4** complex cases characterised by continuing or persistently unresolved issues that need resolution where previous consultation and support strategies have proved unsuccessful.

**4.** instances of a death or a serious event to an adult who is a current client of Custodial Youth Justice Services or Family Violence Counselling Support Services.

Subject Review refers to a review initiated by the Improvement Review Committee, and undertaken by the Reviewable Events Unit (QI&WD) that includes:

- an analysis of the practices and the systems supporting practice that led up to the reviewable event, and comment on issues of compliance (to agreed standards and practice) and on systemic issues specific to that case,
- research and analysis relevant to the theme(s) specified for the review if applicable,
- findings on systemic preventative and/or corrective action identified that might be considered relevant to influencing practice and systemic improvement, and
- findings on the lessons stemming from review that might be broadly disseminated across CYS with respect to the reviewable event itself and the thematic analysis of issues as specified for the review (if applicable).

Reviewable Events Committee refers to a multi-disciplinary panel of clinical and practice experts that operates in compliance with its Terms of Reference and provides the opportunity for genuine and transparent scrutiny of CYS' systemic practice and process by:

- oversighting a schedule of objective and transparent Subject Reviews that are initiated in response to a Reviewable Event (or a series of like events that have occurred over time and identified for review).
- identifying systemic preventative and/or corrective action that influence and strengthen practice, process and policy and deliver systemic improvement across the organisation, and
- making recommendations for same to the CYS Executive Leadership Team based upon the findings of Subject Reviews.

Reviewable Events Unit refers to a discrete and functionally separate Unit under the Manager—QI&WD that is responsible for:

- undertaking Subject Reviews, associated audit functions, and for supporting the role and function of the Reviewable Events Committee.
- maintaining a database of all CYS Care Concerns (in compliance with the Responding to Care Concerns relating to a child in Out-of-Home Care Policy)
- coordinating all aspects of the CYS response to independent external statutory bodies charged with inquiring into a child's death, and
- coordinating ministerial/parliamentary portfolio responsibilities for CYS in respect of reviewable events.

## Mandatory requirements

- This is a state wide policy and must not be re-interpreted so that subordinate policies exist. Should discreet operational differences exist, these should be expressed in the form of an operating procedure or protocol. Failure to comply with this policy, without providing a good reason for doing so, may lead to disciplinary action.
- Upon the occurrence of a reviewable event, all CYS staff must take all appropriate action to respond to, record and report to supervisors/managers, the reviewable event as required by established and documented procedures. All steps must be taken to ensure the safety of the child including risk assessment, safety planning and response.
    - All deaths of a child or adult in the care or custody of the Secretary DHHS must be referred to the Coroner in compliance with the *Reporting a Child Death to the Coroner* Policy (SDMS ID: X).
    - Where a serious event occurs and circumstances indicate that a formal police investigation is needed, CYS staff must act in compliance with the Memorandum of Understanding between Children and Youth Services and Tasmania Police and the *Joint Investigation Protocol.*
    - Where the reviewable event relates to a severe abuse and neglect care concern, CYS staff must act in compliance with the *Responding to Care Concerns relating to a child in Out-of-Home Care* Policy and ensure the child's safety.

## Roles and Responsibilities/Delegations

- Area Directors are responsible for ensuring that all staff are familiar with this policy and comply with their obligations to respond to, record and report to their manager/supervisor, the reviewable event.
- 'The Reviewable Events Committee' will:
    - comply with its Terms of Reference
    - be chaired by the Deputy Secretary Children
    - will assess referrals for eligibility for Subject Reviews
    - oversight and prioritise the review schedule
    - notify the CYS Executive Leadership Team (ELT) of newly scheduled reviews
    - consider Subject Review reports undertaken by the Reviewable Events Unit, and
    - provide a Subject Review Summary Report including recommendations, to the ELT.
- The 'Reviewable Events Unit' will:
    - undertake Subject Reviews, obtain comment on the *draft* review report from the relevant program area team(s) that managed the case(s), and submit a final review report to the Reviewable Events Committee
    - manage all requests for information from independent external statutory bodies charged with inquiring into a child's death (COPMM, Coroner)
    - provide Coronial liaison for CYS

- for the purpose of informing future reviews and recommendation by the Committee, maintain a database of Subject Reviews that includes:
  - referrals made
  - requests for review made by ELT or the Secretary DHHS
  - referrals/requests accepted for review by the Committee
  - reviews undertaken and their status at a point in time (e.g. scheduled, progressing, completed)
  - all recommendations made by the Committee whether accepted by ELT or not.
- maintain a database of all CYS Care Concerns (in compliance with the *Responding to Care Concerns relating to a child in Out-of-Home Care* Policy)
- coordinate ministerial/parliamentary portfolio responsibilities for CYS in respect of reviewable events, and
- support CYS in Reviewable Events processes (template, guidelines, advice).

- The Executive Leadership Team will:
  - consider reports and recommendations provided to it from the Reviewable Events Committee in respect of CYS policy, practice and practice-support processes
  - accept or not accept recommendations made by the Committee, and
  - identify and progress appropriate actions associated with implementing accepted recommendations.
- The Executive Leadership Team may direct the Reviewable Events Committee to undertake broader/generalised thematic reviews of CYS business that are likely to involve a number of cases or practices occurring over a number of years (as might be identified by QI&WD, Director of Operations and/or Area Directors).
- The Manager — Quality Improvement and Workforce Development will:
  - disseminate the lessons learned from the review through the organisation including the relevant program area teams that managed the case(s) that were reviewed
  - as directed, implement a program of activity associated with implementing ELT accepted recommendations, and
  - monitor the status of implementation of accepted recommendations.
- Should a reviewable event occur, or be identified by, a Community Sector Organisation (CSO) through established reporting arrangements to the allocated CYS staff member for a CSO (eg Child Protection Worker, Youth Justice Worker or Out-of-Home Care worker), the worker is to comply with this policy.
- The applicable CYS staff member will update the Client Record in the relevant information systems (eg CPIS, YJIS) to indicate a referral for a Subject Review has been initiated.

- A referral relating to a child death and /or serious event shall be supported by the Program Manager; the Area Director shall support/endorse the referral where it is in relation to a child death.
- CYS staff members are to ensure that the Director of Operations and the relevant Area Director are notified of *all* referrals made to the Reviewable Events Unit through CYS established reporting/accountability requirements.
- Where the reviewable event meets eligibility criteria for recording in the DHHS Safety Reporting and Learning System, the Program Manager will do so in compliance with the agency-wide *Work Health and Safety Incident Response and Notification* Procedure.

## Risk Implications

- Non-compliance with this policy increases the risk that there is:
    - no clear visibility across CYS of system/process improvements arising from reviews or of meaningful learning from reviews, that can be disseminated across the organisation and systemically strengthen CYS risking lack of responsiveness and inadequate change in policy and practice across the organisation.
    - an inconsistent delivery of the reviewable events function across the state and between types of reviewable event
    - a lack of a necessary inward facing focus and mandate that is deliberately directed at systemic learning and influencing practice improvement across all program areas of CYS which aims to mitigate future harm to children,
    - no neutral repository of review skill and capability that can be retained and managed at arm's length from operational business units, and
    - inconsistent communication exchange about the occurrence of reviewable events and review outcomes to senior operational managers across program areas (eg Director of Operations, Area Directors, Program Managers)

## Training

- All CYS staff will be made aware of this policy. There are no specific or unique training requirements associated with this policy for staff and carers.

## Audit

- This policy will be included in the work program of the DHHS Internal Audit function. This work program is approved by the Audit and Risk Committee and will assess underlying systems and procedures for compliance with the requirements of this policy. The overall focus of this assessment will be one of continuous improvement to DHHS activities.

# Related Documents/Legislation

1 Reviewable Events Procedure

2 Reviewable Events Committee – Terms of Reference

3 Work Health and Safety Incident Response and Notification Procedure

4 *Reporting a Child Death to the Coroner* Policy (SDMS ID: X)

5 *Responding to Care Concerns Impacting on a Child in Out of Home Care* Policy, and *Investigations of Severe Abuse or Neglect of a Child in Out of Home Care* (Schedule 2)

6 Memorandum of Understanding between Children and Youth Services and Tasmania Police: *Joint Investigation Protocol* between Child Protection and Tasmania Police

7 *Children, Young Persons and Their Families Act 1997*

8 *Youth Justice Act 1997*

9 *Family Violence Act 2004*

10 *Obstetric and Paediatric Mortality and Morbidity Act 1994*

11 *Coroners Act 1995*