

**Devon County Council**  
**The 'Need to Know' Internal Briefing Process**  
**and**  
**Serious Incident Notification to Ofsted and the DSCB**

## 1. Introduction

This practice guidance is designed to ensure that all social workers, IROs and managers understand and follow the correct procedure when a serious incident in respect of children/young people happens, and that key individuals are notified in a timely and appropriate way.

Key information about all serious incidents relating to children in Devon must be shared with Senior Managers using the 'Need to Know' briefing template (attached as Appendix 1).

This brief guide outlines the following:

- The Statutory Guidance to notify Ofsted about serious incidents or the death of a child.
- Devon 'Need to Know' internal briefing process for Senior Managers, Head of Children's Social Work and Child Protection and the Chief Officer, Children.
- A list of other concerns which must be routinely shared using the 'Need to Know' internal briefing process.
- The decision making process regarding Serious Case Reviews.
- The process that must be followed if it is agreed that Ofsted must be notified.

## 2. Serious Incident Notification

The criteria for **notifiable incidents** are set out in [Working Together to Safeguard Children \(2015\)](#).

A notifiable incident is an incident involving the care of a child which meets any of the following criteria:

- a child has died (including cases of suspected suicide), and abuse or neglect is known or suspected.
- a child has been seriously harmed and abuse or neglect is known or suspected.
- a looked after child has died (including cases where abuse or neglect is not known or suspected) or a child in a regulated setting or service has died (including cases where abuse or neglect is not known or suspected).

These incidents are notified to Ofsted and the DSCB may also be notified if it appears the criteria for a case review is likely to be met (see sections 3 and 4.)

There is no requirement in guidance for local authorities to provide further updates to Ofsted about the cause of a child's death once it becomes known. However, in line with best practice an LSCB should keep Ofsted informed of the outcome it enquires and decisions made.

In addition, there are other **serious incidents** which will require an internal briefing to be produced to ensure that specific risks or issues for the organisation are identified and considered appropriately, including briefing of Chief Officers and members in appropriate cases.

In addition to briefing senior managers immediately about notifiable incidents to a child a 'Need to Know' internal briefing (Appendix 1) is required **in all of the following serious incidents**;

- A death or serious incident relating to a looked after child or care leaver.
- Children missing where there are serious, immediate concerns regarding the child/young person's safety or where media appeals are likely to be required.
- Children subject to CSE involving an organised gang/group of perpetrator's.
- A child known to the department who has committed a serious crime.
- A child known to the county has been the victim of a serious crime.
- A child/young person known to the department has been involved in an incident that is likely to result in media/press coverage or to impact on the reputation of the Council.

#### **Action to be taken;**

When a manager is alerted to a potential notifiable incident or other serious incident relating to a Devon child they should verbally alert a senior manager **immediately (within the hour)** and the SM should ensure the Head of Service is **immediately** made aware of the basic facts of the incident.

**Within 24 hours** the SM should ensure a written briefing is provided to the HoS using the 'Need to Know' template (attached as Appendix 1).

### **3. Notification to Ofsted**

The Head of Children's Social Work and Child Protection will determine whether the 'Need to Know' briefing indicates that the criteria for notification to Ofsted is met and/or whether the DSCB should be notified as the criteria for a Serious Case Review may be met.

The social work team will then be asked to share information with the Senior Manager, Safeguarding so that the formal notification can be made by them using the electronic form Ofsted require via their website. (The Form for completion once this decision has been made is attached as Appendix 2 to this guidance.)

Tips for completing this form:

- Keep details brief. At this stage, the DfE do not need to know the details of the incidents or incidents.
- If you are in the middle of enquiries then make it clear that enquiries continue so no decisions have yet been made.
- For ease and quickness of completion, make sure you are in possession of all of the information e.g. DOB, full names etc.

#### 4. The decision making process regarding Serious Case Reviews

The Local Safeguarding Children Board (LSCB) in a local authority area has the responsibility for deciding whether or not to initiate a serious case review in response to an incident.

1. The local authority should report any incident that meets the above criteria to Ofsted and the relevant LSCB or LSCBs promptly, and within five working days of becoming aware that the incident has occurred.
2. For the avoidance of doubt, if an incident meets the criteria for a Serious Case Review (see below) then it will also meet the criteria for a notifiable incident (above). There will, however, be notifiable incidents that do not proceed through to Serious Case Review.
3. Contact details and notification forms for notifying incidents to Ofsted are available on Ofsted's website.

The Head of Children's Social Work and Child Protection will determine whether the 'Need to Know' briefing indicates that the criteria for notification to Ofsted is met and/or whether the DSCB should be notified as the criteria for a Serious Case Review may be met and if needed will do so as soon as this is indicated.

Devon Safeguarding Children Board (DSCB) will decide whether an incident notified to them meets the criteria for an SCR. This decision should normally be made within one month of notification of the incident. The final decision rests with the Chair of the DSCB. The Chair may seek peer challenge from another LSCB Chair when considering this decision and also at other stages in the SCR process. The LSCB should let Ofsted, DfE and the national panel of independent experts know of their decision within five working days.

**Appendix 1 – Devon County Council - ‘Need to Know’ Internal Briefing**

**CONFIDENTIAL**

**CHILDREN and YOUNG PEOPLE’S SERVICES**

**To:** Jo Olsson Chief Officer – Children Services  
 Vivien Lines Head of Social Work and Child Protection  
 Dawn Stabb Head of Education and Learning

Please tick and only send to those relevant:

- cc:** Marian Martin Senior Manager Children’s Social Work
- Karen Morris, Senior Manager Children’s Social Work
- Rachel Gillott, Senior Manager for Looked After Children
- Jean Kelly, Senior Manager for Safeguarding
- Jennie Waldron & Valerie Cannon, Principal Child & Family Social Workers
- Jacky Wilson, HR Operations Manager
- Press office (for any press related matters)

<b>From:</b>	<i>[Name]</i>	<i>[Team Manager, Operations Manager or Senior Manager]</i>
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<b>Location:</b>	
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<b>Contact details:</b>	
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**Details of Child/siblings/parents:** *[Name, date of birth, role, address]*

**Incident/ issue:** *[Reason for 'Need to know' briefing]*

**Status of the case at the time of the incident:** (Closed (if so include details of last involvement by CSW) CIN, CPP, LAC, CL).

**Does this incident meet the criteria for notification to Ofsted**

**YES/NO (clearly indicate in every case with reason):**

**If YES, please state in what way it meets the criteria:**

**Background:** *[Include for example the nature of the department's involvement, names and roles of staff involved, legal status of the child, child protection registration status, previous related incidents etc.]*

**Current situation:** *[Include for example current situation of the child or member of staff and the risk this poses; other agencies involved etc.]*

**Team/Area/Operation/Senior Manager comment:** *[Include risk assessment and actions to mitigate the risk; statutory, corporate and departmental procedures being followed etc. Statutory notifications completed (Ofsted, HSE etc.) Managerial overview.]*

Name:	Role:	Team:
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**Future action:** *[For example, the next stages in a child protection investigation, forthcoming court appearances, action to be taken if a missing child returns, business continuity plans in relation to premises issues etc.]*

**Next update:** *[When is this expected and for what reason.]*

**Update:** *[Date and name of person updating need to know report]*

*Please duplicate the boxes below if further updates are needed.*

<b>From:</b>	<i>[Name]</i>	<i>[Team Manager, Operation Manager or Senior Manager]</i>
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<b>Location:</b>	
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<b>Contact details:</b>	
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**Developments:** *[Include all changes since the initial 'need to know' previous update, including manager comment, lines to take and future action as appropriate.]*

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**Next update due:** *[date, if appropriate or state that this is final]*

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## Appendix 2 - Notification to Ofsted of serious childcare incident

**When it has been agreed by the Head of Children’s Social Work and Child Protection that a referral will be made to Ofsted to notify them of a child death or serious incident, this form requires completion by the relevant social work team. Once completed please send it to the Senior Manager – Safeguarding who will complete information required and send it to Ofsted. Do not send direct to Ofsted.**

### 1. Notifier details

Local authority		Name	
Role		Telephone number	
Date notified (dd/mm/yyyy)		Linked cases	

### 2. Reason for notification (more than one box may be ticked)

Serious case review confirmed	Death or serious injury to a child where a child protection issue is likely to be of major public concern. ( <i>Working together to safeguard children</i> , Chapter 8.)	<input type="checkbox"/>
Serious case review possible but not yet confirmed	Death or serious injury to a child where a child protection issue is likely to be of major public concern. ( <i>Working together to safeguard children</i> , Chapter 8.)	<input type="checkbox"/>
Death of a looked-after child	Children Act 1989 Schedule 2 paragraph 20(1)(a) National Minimum Standards for Children’s Homes, Standard 20; Children’s Home Regulations 2002, Regulation 30, Schedule 5; Fostering Services Regulations 2002, Regulation 43, Schedule 8.	<input type="checkbox"/>
Death or serious harm to a child in a children’s home	Children’s Home Regulation 19 (2) (a) and (c) National Minimum Standards for Children’s Homes; Children’s Home Regulations 2002 Schedule 5; Fostering Services Regulations 2002, Schedule 8	<input type="checkbox"/>
Serious harm to a child	As above	<input type="checkbox"/>
Conduct of a member of staff	(Please provide details on a separate sheet)	<input type="checkbox"/>



### 3. Child details

Child's last name(s)		Child's forename(s)	
Other names used		Child's date of birth (dd/mm/yyyy)	
Age (if no DOB known)		Gender	Male <input type="checkbox"/> Female <input type="checkbox"/>
Parents' names		Siblings' names and ages	

Family note to identify key family relationships, e.g. step parents, cohabitees, including information about who is resident with the child:

<b>Ethnicity</b> We collect this data for monitoring purposes only.		
<b>(a) White</b>	<b>(b) Mixed</b>	<b>(c) Asian or Asian British</b>
<input type="checkbox"/> British	<input type="checkbox"/> Asian and White	<input type="checkbox"/> Indian
<input type="checkbox"/> Irish	<input type="checkbox"/> Black African and White	<input type="checkbox"/> Pakistani
<input type="checkbox"/> Any other White background	<input type="checkbox"/> Black Caribbean and White	<input type="checkbox"/> Bangladeshi
	<input type="checkbox"/> Any other mixed background	<input type="checkbox"/> Chinese
		<input type="checkbox"/> Any other Asian background
<b>(d) Black or Black British</b>	<b>(e) Other ethnic groups</b>	<b>(f) Not declared</b>
<input type="checkbox"/> Caribbean	<input type="checkbox"/> Any other ethnic group (please specify):	<input type="checkbox"/> Not declared
<input type="checkbox"/> African		
<input type="checkbox"/> Any other Black background		

<b>Is the child on the Child Protection Register?</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Has been
Category of registration			
<input type="checkbox"/> Physical abuse	<input type="checkbox"/> Sexual abuse	<input type="checkbox"/> Emotional abuse	<input type="checkbox"/> Neglect

<b>Are any siblings on the Child Protection Register?</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Has been
Category of registration			
<input type="checkbox"/> Physical abuse	<input type="checkbox"/> Sexual abuse	<input type="checkbox"/> Emotional abuse	<input type="checkbox"/> Neglect

Legal status		
<input type="checkbox"/> Adoption	<input type="checkbox"/> Emergency Protection Order	<input type="checkbox"/> Police Protection Order
<input type="checkbox"/> Supervision Order	<input type="checkbox"/> Care Order	<input type="checkbox"/> Ward of Court
<input type="checkbox"/> Section 20 Accommodation	<input type="checkbox"/> Residence Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please specify)		

Does the child have a disability that affects any of the following? Please tick those that apply.			<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Mobility	<input type="checkbox"/> Hand function	<input type="checkbox"/> Personal care	<input type="checkbox"/> Incontinence	
<input type="checkbox"/> Communication	<input type="checkbox"/> Learning	<input type="checkbox"/> Hearing	<input type="checkbox"/> Vision	
<input type="checkbox"/> Behaviour	<input type="checkbox"/> Consciousness			

#### 4. Incident details

Local authority where incident took place		Responsible local authority	
Date of incident (dd/mm/yyyy)			

Type of incident	
<input type="checkbox"/> Serious injury	<input type="checkbox"/> Death (include date of death) (dd/mm/yyyy)

Residence/placement at time of incident		
<input type="checkbox"/> Living at home	<input type="checkbox"/> Living with relatives	<input type="checkbox"/> With foster carers (short term)
<input type="checkbox"/> With foster carers (long term)	<input type="checkbox"/> With foster carers (short break)	<input type="checkbox"/> Residential children's home
<input type="checkbox"/> Residential children's home (short break)	<input type="checkbox"/> Lodgings	
<input type="checkbox"/> Residential school	<input type="checkbox"/> Semi-independence unit	<input type="checkbox"/> Mother and baby unit
<input type="checkbox"/> Hospital	<input type="checkbox"/> Residential family unit	<input type="checkbox"/> Not yet known
<input type="checkbox"/> Other (please specify)		

Name of institution (if accommodated)	
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Institution sector			
<input type="checkbox"/> Local authority	<input type="checkbox"/> Voluntary	<input type="checkbox"/> Private	<input type="checkbox"/> Not known

Cause of incident		
<input type="checkbox"/> Natural causes	<input type="checkbox"/> Non-accidental injury	<input type="checkbox"/> Self-harm
<input type="checkbox"/> Not yet known	<input type="checkbox"/> Non-accidental death	<input type="checkbox"/> Road traffic accident (RTA)
<input type="checkbox"/> Suicide	<input type="checkbox"/> Accidental death	<input type="checkbox"/> Sudden Infant Death Syndrome
<input type="checkbox"/> Neglect	<input type="checkbox"/> Accidental injury	<input type="checkbox"/> Drug/solvent misuse
<input type="checkbox"/> Other (please specify)		

Case outline <i>(please attach additional information if necessary)</i>

Characteristics of case		
<input type="checkbox"/> Domestic violence	<input type="checkbox"/> Alcohol abuse	<input type="checkbox"/> Drug abuse
<input type="checkbox"/> Parental mental health	<input type="checkbox"/> Fabricated illness	<input type="checkbox"/> Shaken baby syndrome
<input type="checkbox"/> Sexual abuse	<input type="checkbox"/> Parent in care	<input type="checkbox"/> More than one child abused
<input type="checkbox"/> Child of teenage pregnancy	<input type="checkbox"/> Parent is care leaver	<input type="checkbox"/> Serious illness
<input type="checkbox"/> Emotional abuse	<input type="checkbox"/> Recent neglect	<input type="checkbox"/> Long-standing neglect
<input type="checkbox"/> Physical abuse		

Is this case linked to a complex abuse investigation?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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Name(s) of alleged abuser(s)			
Name(s) of person(s) charged and relationship to child			
Have criminal proceedings been instigated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Possible
Has there been a conviction?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Media interest			
<input type="checkbox"/> National	<input type="checkbox"/> Local	<input type="checkbox"/> None	<input type="checkbox"/> Not known