

# ‘Need to Know’ Reporting Procedure

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Appendix 1: Need to Know Flowchart	

## 1. Our Need to Know Procedure

- 1.1 This procedure outlines the reporting steps that must be followed in the event of a serious (Need to Know) incident occurring.
- 1.2 Immediate reporting of Need to Know incidents enables Dorset Council to:
  - Provide support to the child or young person, parent/carer, member(s) of staff and attempt to resolve immediate difficulties
  - Inform the relevant authorities/regulatory bodies
  - Alert and inform others including partners who need to be aware of the incident
  - Update risk assessments and put any risk management strategies in place
  - Respond appropriately to questions from members of the public or media
- 1.3 Examples of serious or Need to Know incidents are set out at section 2.
- 1.4 The first stage of reporting is notification; any Children's Services employee who witnesses, is informed about, or discovers a Need to Know incident must follow the steps set out at section 3.
- 1.5 The second stage is completion of a formal Need to Know Report by the relevant Head of Service; full guidance for this stage is given at section 4.
- 1.6 The purpose of the Need to Know Report is to alert Senior Managers **urgently** to an incident and to provide the information needed to enable them to form an initial opinion on what, if any, action is required.
- 1.7 Failure to report Need to Know incidents may mean that a child or young person is at risk of harm, or that the council is brought into disrepute. Failure to report a Need to Know incident may therefore be a disciplinary matter.
- 1.8 The procedure aims to be as comprehensive as possible but will inevitably omit some circumstances. If you are in doubt regarding the need for reporting an event or incident, you should consult with your line manager.

## 2. Need to Know Incidents

- 2.1 Any serious incident is a Need to Know incident. A serious incident is one that has caused, or may yet result in, significant harm to:
  - Any child or adult towards whom we have a duty of care
  - Any Dorset Council employee
  - Any member of the public directly affected by our work
  - The work and good name of Dorset Council

Harm is not only physical. All forms of abuse including emotional and financial abuse are harm. Harm may also arise from the loss of personal data, or from reputational damage.

A near miss that otherwise meets this definition is also a Need to Know incident.

## 2.2 Categories of Need to Know Incidents

The following key areas represent categories of events which must be notified and reported following the steps set out in Sections 3 and 4 below. As described above these may not be exhaustive.

If there is any doubt about the need to notify senior managers, staff should consult with their line manager.

**Table 1. Categories of Need to Know Incidents with Examples of each**

<b>Categories and Examples of Need to Know Incident</b>
<b>1. Serious incident involving a child known to Children's Services</b>
Serious accident or non-accidental injury
Sudden unexpected death of a child (in these instances, the <a href="#">Pan Dorset Child Death Protocol</a> should be followed, and a <a href="#">Child Death Notification</a> made)
Serious child-related incidents in fostering or adoptive placements, or residential establishments in the Dorset local authority area
Serious self-harm or suspected suicide of a child
Children known to Children's Services who are missing overnight, or for more than four hours if the child is aged under 12
A child who is subject to a Child Protection Plan becomes homeless, seriously injured or at immediate risk of harm
A Child in Care has committed a serious crime
Domestic homicide or likely domestic homicide
Serious self-harm or suicide of a parent or carer
Cases of serious communicable diseases in residential premises
A Care Leaver enters bed and breakfast accommodation
Any actual or likely media coverage relating to a Child in Need, a child with a Protection Plan, or a Looked After Child

<b>2. Serious commissioning matters</b>
Ofsted finds a child's residential placement or Independent Fostering Agency (IFA) to be Inadequate or Requires Improvement, or finds Serious Weaknesses in Supported Accommodation
A child is placed (or there is a plan to place them) in unregistered accommodation
<b>3. Serious incident involving staff</b>
Assaults or threats to staff/members of the workforce
Serious illness, injury, or death of a member of staff/ members of the workforce
Allegations against a member of staff that might lead to serious disciplinary action/ police action
Any media coverage relating to members of staff or workforce, which may impact on the Council
<b>4. Significant legal proceedings</b>
Staff working for or with Dorset Children's Services
Members of the workforce in commissioned services
Any proceedings that relate to the business of Dorset Council;
Proceedings and judgements likely to attract public and/or media interest. This will include criminal trials resulting from child protection proceedings and youth offending
Those with potentially significant financial or policy implications
Inquests
<b>5. Serious breach of personal data</b>
A serious breach of personal data will have occurred if data that identifies an individual has been lost, accessed by, or shared with an unauthorised person, or destroyed other than in accordance with procedures, and the breach has resulted or may result in harm or loss to the individual concerned. Such breaches must be notified to <a href="mailto:data.protection@dorsetcouncil.gov.uk">data.protection@dorsetcouncil.gov.uk</a> (see 4.4 below).

<b>6. Serious complaints and controversies</b>	
<p>Serious complaints and representations about Children’s Services, or about persons employed by them, must be notified to the relevant Head of Service who will alert the Corporate Director and Executive Director. The Head of Service is responsible for notifying the corporate complaints team and ensuring that a response is provided within the specified timescale. They will also be responsible for briefing their Corporate Director and Executive Director about:</p>	
i)	Matters of public debate or anxiety
ii)	Major complaints implicating the service
iii)	Any Permanent Exclusion of a child who is resident in the Dorset Council area from their school. (When completing a Need to Know Report for a Permanent Exclusion, please also read the Additional Guidance for Need to Know following Permanent Exclusion.
iv)	Matters likely to attract adverse local or national press coverage
v)	Any matter which has, or is likely to attract the attention of the media, Members of the County Council, or Members of Parliament
vi)	The Head of Service and relevant Corporate Director will ensure that the Executive Director of Children’s Services is aware of such serious issues as soon as practicably possible. The Head of Service must alert the Executive Director if the Corporate Director is on annual leave.
<b>7. Notifications to regulatory bodies</b>	
<p>Any serious incidents that are likely to require the local authority to make a notification to a regulatory body such as a Serious Incident Notification under Working Together (National Panel), Reg. 40 Notifications (Ofsted) or serious data breach (Information Commissioner’s Office) for example.</p>	

### **3. Notifying a Need to Know Incident, drafting the Report**

#### **3.1 Notifying the incident**

Any employee who becomes aware of a Need to Know incident must notify their line manager and Head of Service. If they have access to email, they should email their Head of Service with a copy to their line manager setting out the details of the incident as fully as possible. If they do not have access to email, they should phone their line manager and ask them to relay the

matter to the Head of Service on their behalf. They should follow this up with a confirmatory email to their manager and Head of Service within 24 hours.

Where an employee becomes aware of a Need to Know incident outside of normal working hours, they should contact the Senior Manager on Call immediately, to notify them of the incident. They should notify their line manager and Head of Service, as set out in the previous paragraph, on the next working day. The employee will start to fill out Sections 1-10 of Need to Know report as best they can prior to the relevant Head of Service or Service Manager completing the report. A draft Need to Know must be sent to the Head of Service or Service Manager as soon as possible. The Need to Know Report template can be found in the Children's Services Procedures library (tri.x).

**Heads of Service are:**

Head of Quality Assurance and Partnerships

Head of Service, Children in Care (**but see separate Heads of Service for residential homes, below**)

Head of Service, Care Leavers and UASC

Head of Locality, Dorchester and West

Head of Locality, North

Head of Locality, Chesil

Head of Locality, East and Purbeck

Head of Service, Placement Commissioning

Service Manager, Children's Advice and Duty Team (ChAD)

Service Manager, CWAD

**NB for incidents relating to residential homes, the Head of Service is either:**

Service Manager, Residential and Harbour, or

Service Manager, Residential CWAD

### **3.2 Updating case records**

If the incident involves a child or children who are known to children's services, the employee should update the relevant case records within 24 hours.

## 4. The Need to Know Report

### 4.1 Notify Children's Services Leadership Team (CSLT)

As soon as they are notified of a Need to Know incident, the Head of Service or Senior Manager on Call should verbally notify the relevant Corporate Director, or, if the latter is not available, the Corporate Director covering or failing that the Executive Director and confirm their plan of response.

### 4.2 Initiating the Report

The Head of Service responsible for the business area involved in the incident (or Senior Manager on Call) will complete sections 1-10 of the Need to Know Report on the same working day that they receive notification. The detail should be confined to a level which will inform the relevant Corporate Director of the seriousness of the incident, actual or potential risk to those involved, and of actions being taken to proactively manage the situation. The Need to Know Report template can be found in the Children's Services Procedures library (tri.x).

### 4.3 Distribution of the Need to Know Report

The Head of Service should share the 'Need to Know' Report by email, with **URGENT AND CONFIDENTIAL: 'Need to Know Report'** in the subject box, to all the following officers on the same day that they commence their report:

- Executive Director People - Children
- Corporate Director Care and Protection
- Corporate Director Quality Assurance and Safeguarding
- Corporate Director Commissioning
- Corporate Director Education
- Relevant Head of Service
- cc Head of Quality Assurance and Partnerships
- cc [QAPaudits](#)

The Need to Know will be added to the Need to Know Tracker and stored in the Teams site by QAPaudits. They will also upload to Mosaic if this has not already been done and forward a copy to the relevant QARO if the child is in care or subject to a CP Plan.

### 4.4 Updating the Need to Know Report

The Head of Service should add updates to the Need to Know Report not less than weekly and send each update to those detailed in section 4.3 above. A defined conclusion must be recorded on the report before the report is signed off and the incident marked as completed.

#### **4.5 Notifying the regulatory authority (where relevant)**

The Executive Director will determine whether a regulatory authority must be advised of the incident (for example, whether a Serious Incident Notification should be made to the Child Safeguarding Practice Review Panel). They shall advise the Head of Quality Assurance and Partnerships (or for incidents relating to residential services, the Residential Services Manager) who will make the notification and complete the relevant section of the Need to Know Report.

The exception to this is a significant incident in a children's home, which should be notified to Ofsted by the Registered Manager, copying in the Head of Service and Executive Director.

#### **4.6 Briefing the Executive Director, HR, Elected Members and Corporate Colleagues**

##### **Executive Director and Lead Member**

The Executive Director will decide whether the Lead Member for Children's Services should be briefed and share the Need to Know Report with them if required.

##### **Elected Members**

The Need to Know Report should not be used as a routine briefing to all members, or those who might have an interest in the situation (e.g., constituency members). Should the Executive Director decide that a wider, confidential elected member briefing is required, they will decide the form that this should take and define the circulation list.

Confidential member briefings will only come from the Executive Director, or from a Corporate Director or the corporate communications team if requested by the Executive Director. Any managers involved with the incident should be copied in for information.

##### **Corporate Colleagues**

The Executive Director will decide whether the Chief Executive or other Corporate Colleagues need to be briefed.

The Executive Director will decide if it is appropriate to share the Need to Know Report with corporate colleagues who might need to be involved e.g., Head of Communications, Adult Social Care, Internal Audit or Health and Safety.

#### **4.6 Need to Know Timescales and Monitoring**

Sections 1- 10 of the Need to Know Report (see sample at Appendix 1) must be completed and distributed as soon as possible, and in any event no later than 24 hours after the incident has occurred.

All open Need to Know Reports will be tracked by the QAPaudits Team and will be reviewed at each monthly Children's Services Leadership Team



meeting. Any Need to Know Report that has been open for more than one month will be raised as an exception to the Care and Protection Performance and Practice Development Meeting.

#### **4.7 Quality Assurance**

The Head of Quality Assurance and Partnerships will maintain oversight of the quality of all open Need to Know Reports. The Need to Know Report will remain open until they have given assurance to CSLT that quality thresholds have been met.

### **5. Ensuring employees are aware of this procedure**

- 5.1 All employees will be made aware of this procedure as part of their Children's Services induction.

### **6 Monitoring compliance with this procedure**

- 6.1 Compliance will be monitored through the reporting procedure set out at section 4.7.

