



# In Home Care Serious Incident Report

**NOTE:** This form is a SmartForm designed to be used in Adobe Acrobat Reader. Adobe Acrobat Reader software must be set as the default program for .pdf documents. If you do not do this you may experience difficulties using this form. If you do not currently have the Adobe Acrobat Reader software program, it is available as a free download from the [Adobe website](#).

## Privacy Statement

Personal information is protected by law, including under the *Privacy Act 1988* (the Privacy Act).

### Personal information

Personal information is information or an opinion about an identified or reasonably identifiable individual. Personal information includes an individual's name and contact details.

### Sensitive information

Sensitive information is a subset of personal information. It includes information or an opinion about racial or ethnic origin, political opinions, religious beliefs or affiliations, philosophical beliefs, membership of associations or unions, sexual orientation or practices, criminal record, or health, genetic or biometric information.

### Collection of personal information

Any personal information (including sensitive information) collected about you or another individual in connection with this form, is collected by the Australian Government Department of Education (the department) under section 48A of the *Child Care Subsidy Minister's Rules 2017*. The personal information is collected for the purposes of:

- monitoring providers' compliance with their obligations under the Family Assistance Law and taking action in relation to non-compliance
- responding to serious incidents occurring in the IHC setting
- administration of the IHC Program, and
- related purposes.

The personal information may also be used for other purposes where the relevant individual has agreed, or where it is otherwise permitted under the Privacy Act.

The consequences of not providing some or all the personal information requested are:

- it may constitute a failure to report a serious incident (or circumstances that could have resulted in a serious incident), which is a legal obligation under section 48A of the *Child Care Subsidy Minister's Rules 2017*. Breach of this obligation may result in compliance action being taken against the provider and may also constitute a criminal offence under section 204F of the *A New Tax System (Family Assistance) (Administration) Act 1999*, and
- it may prejudice the investigation of the serious incident.

## **Disclosure of personal information**

The personal information, including any sensitive information, may be disclosed to:

- the relevant IHC Support Agency in your state or territory
- the department's Ministers and staff in their offices
- other government agencies with responsibility for health and safety, and
- an enforcement body, within the meaning of the Privacy Act.

The personal information may also be disclosed to other parties where the relevant individual has agreed, or where it is otherwise permitted under the Privacy Act.

The personal information is unlikely to be disclosed to overseas recipients.

## **Privacy policy**

The department's [Privacy Policy](#) contains more information about how the department will manage personal information, including information about how to make a complaint and seek access to and correction of personal information.

To contact the department about the handling of personal information collected by this form, please email [privacy@education.gov.au](mailto:privacy@education.gov.au).

To email the department about IHC more generally please contact [inhomecare@education.gov.au](mailto:inhomecare@education.gov.au).

Under section 48A of the Child Care Subsidy Minister's Rules 2017 (the CCS Minister's Rules) approved providers of In Home Care (IHC) services must implement appropriate arrangements to manage serious incidents, including by notifying the Secretary in writing within 24 hours after a serious incident occurs or a circumstance occurs that could have resulted in a serious incident.

This form can be used by approved providers of IHC service and sent to Department of Education to meet its serious incident notification obligations if a serious incident has occurred, or could have occurred, involving a child while receiving IHC. Depending on the nature of the serious incident, the approved provider may have other obligations (besides filling out this form) to ensure that all appropriate measures have been implemented to manage the incident.

Families and educators who observe or experience a serious incident (or a circumstance that could have resulted in a serious incident) should report the matter to the appropriate emergency services and, where appropriate, to the approved provider of the IHC service.

Apart from their obligations under section 48A of the CCS Minister's Rules, approved providers of IHC services must comply with state-based Child Protection Laws and mandatory reporting requirements under the Commonwealth, State and Territory legislation\*.

The following incidents are "serious incidents" that must be reported to the Department of Education:

- the death of a child while being cared for by the IHC service or as a result of an incident that occurred while being cared for by the service, or any incident involving injury, harm, trauma to, or illness of, a child while being cared for, where
  - the attention of a medical practitioner was sought, or ought reasonably to have been sought, or
  - the child attended, or ought reasonably to have attended, a hospital
- any incident for which the attendance of emergency services at premises where care is usually provided is sought, or ought reasonably to have been sought
- a child being cared for:
  - is missing, or cannot be accounted for; or
  - appears to have been taken or removed from the premises in a manner that would contravene the Education and Care Services National Regulations, regardless of whether the regulations apply
  - is accidentally locked in or locked out of the premises where the care is being provided or any part of those premises
- any other incident that would be required to be reported to a regulator under any applicable work health and safety laws (as stated in section 49(6) of the CCS Minister's Rules).

The department may investigate incidents notified by the IHC services where the incident relates to an approved provider's compliance with a provision that is subject to the department's monitoring powers under section 219UA of the *A New Tax System (Family Assistance) (Administration) Act 1999*.

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## Reporting requirements

The department must be notified in writing within 24 hours of the serious incident (or a circumstance that could have resulted in a serious incident). Please send this form to [inhomecare@education.gov.au](mailto:inhomecare@education.gov.au).

\*South Australia and Tasmania have additional laws governing In Home Care:

- TAS: *Child Care Act 2001*
- SA: *Education and Early Childhood Services (Registration and Standards) Act 2011*

Where an approved provider has reporting obligations under either of these Acts, sending the department a copy of that notice may be acceptable where you are legally able to.

**The fields below are not mandatory, please complete any that are relevant and/or known. Please provide comprehensive detail in this report, and attach a separate page if needed. Any details that are not readily available immediately after the incident, can be sent through at a later time.**

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## PART A – Child details

(If more than one child, please attach a separate list)

First name:

Family name:

Gender:

Date of birth:

Age of Child:

Home address:

Suburb/Town:

State:

Postcode:

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## PART B – Educator details

Name of educator:

Phone number:

First Aid Certificate:

Date of expiry:

WWCC number:

Date of expiry:

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## PART C – Service details

Approved Provider name:

CRN:

Service name:

CRN:

Address:

Suburb/Town:

State:

Postcode:

Name of contact person:

Phone number:

Email:

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## PART D – Incident detail

Includes circumstances that could have resulted in the occurrence of a serious incident (as per section 48A(3) of CS Minister's Rules).

When did incident occur? Date:

Time:

am

pm

Where/Location:

Type of incident:

**Circumstances of incident**

Include comprehensive details of the incident, this could include but not be limited to; what the child/ren was doing at the time of the incident, what the educator was doing, if illness include any symptoms, the cause of the injury/trauma, the nature of any injury/trauma sustained, if a child appeared to be missing include the duration and who found the child. Provide as much detail as possible.

Names of person(s) on premises when incident occurred including if they witnessed the incident:

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## PART E – Actions taken

Did emergency services attend?      Yes      No

Was medical attention sought from a medical practitioner / hospital?      Yes      No

If yes to either of the above, provide detail:

### **Details of action taken by educator**

This could include but not be limited to: administration of first aid, contact with emergency services, contact with parents and service to report incident, procedure/policy educator followed/implemented.

**Details of action taken by service**

This could include but not be limited to: follow up with family, support given to educator following incident, educator training, review of policies and procedures, development of management plans.

**Details of steps taken to notify parent or carer** (including name of person notified, time, date and method of notification).

**Details of notification of others**

For example, educator, service co-ordinator or director, other agency, regulatory authority (if applicable). If regulator reporting (for reportable conduct matters) and mandatory reporting to child protection authorities is required please provide details, such as mandatory reporting number (if applicable), name of department report made to, and date/time report was made.

**Was or is an investigation into the incident going to be conducted?**

Yes No

**If an investigation was or is to be conducted please provide details, including the outcome or status of the investigation.**

The department will follow-up on the outcome of an investigation.



**Details of any steps that have been taken to prevent or minimise this type of incident in the future**

This should include a review of policies and procedures by the approved provider relating to child and educator safety, and any updates made if identified necessary. It could also include but not be limited to, development of management plans if relating to a particular illness or issue if not already detailed elsewhere on report. It may involve identification and delivery of training requirements of educators engaged by the service. It may involve adjustments to the home environment or educator routine.

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## PART F – Declaration

The IHC Serious Incident reporting form is for the use of the approved providers operating IHC services to meet its serious incident notification obligations under section 48A of the Child Care Subsidy Minister’s Rules 2017, as such it is the approved provider who is required to complete and sign the form and notify the Department of a serious incident.

Please ensure this declaration is signed by a person with management or control (PMC) of the approved provider and recorded as being a PMC on the Child Care Subsidy System.

I declare/certify that the information in this serious incident notification and any attachments are true and correct.

I declare/certify that the information in this form has been verified by, and the declaration signed by a PMC as recorded on the Child Care Subsidy System.

I declare/certify that the approved provider has reviewed its policies and procedures in regards to child and educator safety and that the approved provider is satisfied that they are adequate.

I declare/certify that the approved provider has met all obligations of reporting under State or Territory laws, and/or regulatory authorities in relation to this incident.

For approved providers where the serious incident occurred in South Australia or Tasmania, I declare/certify the approved provider has met all obligations of services licensed and/or regulated by state and territory authorities in relation to reporting serious incidents.

Signature:

Printed name:

Date:

Position/Role:

Proda Person ID number:

Phone number:

Email:

To use the submit button above, this form must be viewed in Acrobat Reader. It is available as a free download from the Adobe website. Alternatively, complete, download and email the form directly to [InHomeCare@education.gov.au](mailto:InHomeCare@education.gov.au).