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SERIOUS OCCURRENCE POLICY

Community Living-Central Huron is responsible for ensuring its services promote the health, safety and welfare of people being supported. As part of its accountability relationship with the Ministry of Community and Social Services and the Ministry of Children and Youth Services, referred to within this policy as 'Ministry,' the Agency is required to submit information to the Ministry(ies) that demonstrates its delivery of services is consistent with relevant legislation, regulations and/or Ministry policies. The Ministry prescribes very specific definitions, requirements and procedures with respect to serious occurrences.

All employees and volunteers must adhere to the proper execution of Serious Occurrence Reporting requirements, procedures and advise their immediate Supervisor of the need for clarification or training. Non-compliance with serious occurrence requirements and procedures is subject to discipline, up to and including dismissal from Community Living-Central Huron's employment.

The following procedures are requirements of all providers of services that are funded by the Ministry to ensure a consistent process is established for the communication of serious occurrences and that procedures are followed without exception.

SERIOUS OCCURRENCES TO BE REPORTED TO THE MINISTRY ARE DEFINED AS FOLLOWS:

1. **Death:** Any death of a person being supported which occurs while participating in a service.
2. **Serious injury:** Any serious injury to a person being supported that occurs when participating in a service, a deciding factor to consider is whether professional medical treatment (ie. doctor or dentist) is required. Serious injuries include:
 - any injury caused by the service provider;
 - a serious accidental injury, ie. sports injury, fall, burn, etc.;
 - a serious injury which is non-accidental, including self-inflicted, or unexplained.
 - medication errors resulting in an injury/illness, e.g person supported receives wrong medication; failure to document administration of medication
3. **Alleged, Witnessed or Suspected Abuse:** Any alleged abuse or mistreatment of a person being supported which occurs while participating in a service. This includes all allegations of abuse or mistreatment against Staff, volunteers, temporary caregivers, police/court Staff, drivers providing transportation.

Alleged, suspected or witnessed abuse of a person supported that may constitute a criminal offence, shall be immediately reported to the police and will require an enhanced serious occurrence report to the Ministry.

4. **Missing Person:** Any situation where a person being supported is missing (whereabouts unknown) and the Service Provider considers the matter to be serious.
5. **Disaster on the Premises:** Any disaster on the premises where service is provided that interferes with daily routines, e.g. flood, fire, power outage, gas leak, lock down, etc.
6. **Complaint about the Operational, Physical or Safety Standards:** Any complaint concerning operational, physical or safety standards of the service considered by the Service Provider to be of a serious nature.

7. **Complaint made by or about a Person Supported:** Any complaint made by or about a person being supported, or any other serious occurrence considered by the Service Provider to be of a serious nature (ie. person supported charged by police; inappropriate disciplinary techniques; serious assault by person supported against Staff, peers, community members; serious assault by non-caregiver against person supported; hospitalization considered serious by the Service Provider.
Alleged, witnessed or suspected abuse of a person supported that may constitute a criminal offence should be immediately reported to the police and will require an enhanced serious occurrence report to the Ministry, regardless of whether the alleged, suspected or witnessed abuse is by a person providing services on behalf of the agency (ie. Staff, volunteer, board member) or a non-caregiver (ie. friend, another person supported, stranger).
8. **Restraint of a Person Supported:** Any use of a physical restraint of a person being supported or use of mechanical restraints not identified in the person supported approved Behaviour Support Plan.
 - Any situation whereby “Enhanced Serious Occurrence Reporting” procedures will be followed when emergency services are used in response to a significant incident involving a person(s) supported and funding accessed from the Ministry, and/or the incident is likely to result in significant public or media attention. The Executive Director/Designate will refer to the “Enhanced Serious Occurrence Identification Tool.”

DEFINITIONS:

‘**While participating in service**’ shall mean when an individual being supported is receiving direct care from Staff, volunteers, caregivers, etc., from any Agency Program.

‘**Ministry**’ refers to the Ministry of Community and Social Services and/or the Ministry of Children and Youth Services.

‘**Abuse**’ is defined in Agency Policy No. C-004.

‘**Use of Physical Restraints**’ and ‘**Mechanical Restraints**’ are defined in Agency Policy No. C-005.

‘**Challenging behaviour**’ and ‘**Behaviour Support Plans**’ are defined in Agency Policy No. C-002

Within the parameters of the above definitions, the Executive Director or designate is responsible for determining whether an incident is deemed to be a Serious Occurrence as defined by these procedures and whether, therefore, it should be reported to the Ministry and the Board of Directors. Also, clarification can be sought from Ministry personnel with respect to determining the need to report a serious occurrence.

SERIOUS OCCURRENCE RESPONSE AND REPORTING:

Actions to be taken if a serious occurrence has occurred, or is suspected, include the following:

1. The person being supported is provided with immediate medical attention as warranted.
2. Appropriate steps shall be taken to address any continuing risks to the person’s health, safety and well-being. The health, safety and well-being of others being supported should also be considered.
3. In the event of a death of a person supported, in addition to notifying the Ministry, the Agency must comply with the reporting requirements of the *Coroner’s Act*, and any other legislated requirements from the Ministry, including the Child Death Reporting and Review Joint directive.

4. If there is reason to suspect that a person supported has been abused (and/or in need of protection, in the case of a child), contact the Children's Aid Society (CAS) and/or police; where the Agency suspects any alleged, suspected or witnessed incidents of abuse of a person supported that may constitute a criminal offence, contact police immediately.
5. The Staff or any person witnessing or having knowledge of the occurrence shall report the matter immediately to their Supervisor or Pager or Coordinator or Executive Director, whomever is most immediately accessible.

All persons having knowledge of the occurrence should be asked to remain on the premises until they have been interviewed and there is no further need at this time for their presence. The Staff who witnessed or having knowledge of the occurrence will complete and submit the necessary Agency documentation to their Supervisor or designate prior to the end of their shift.

6. The Supervisor or Pager or Coordinator or Executive Director, whomever was initially contacted by Staff, shall immediately begin an investigation regarding actual or alleged occurrences. The information will form the basis of whether there has been a serious occurrence; details to include: name and birth dates of any individuals supported; description of occurrence; allegations (if applicable) by person being supported; date, time and place of occurrence; time occurrence reported; reason for occurrence (if known); people involved; actions taken, current status; notification of coroner (in cases of death), Police, CAS, parents, others, emergency contact, etc., as appropriate; further action recommended/proposed.
7. The Supervisor will contact the appropriate Coordinator and/or the Executive Director to review the information submitted by Staff, details of their investigation and the **"Serious and Enhanced Serious Occurrence Reporting Guidelines" of March 2013**, as provided by the Ministry. The Executive Director or designate will determine if the occurrence corresponds to the Ministry's Serious Occurrence Reporting requirements.
8. Following the determination of a Serious Occurrence, the Supervisor will complete the Ministry's "Serious Occurrence Report," Part 1 - Initial Notification Report (IN) and immediately provide the original to the Executive Director or designate for approval. The Executive Director or designate will submit the completed Serious Occurrence Report to the

Ministry's Regional Office within twenty-four (24) hours of becoming aware of the incident and/or deems the incident to be a serious occurrence. The Executive Director or designate may contact the Ministry by telephone or send an email for the Initial Notification Report, if circumstances dictate (ie. there is no fax available).

9. Within seven business days of submitting the Initial Notification Report (IN), complete and submit the Inquiry Report (IR). Submit the IR within seven business days, even if information and /or actions have yet to be completed. Include an explanation that a further follow-up report will be provided.

ENHANCED SERIOUS OCCURRENCE REPORTING:

The Executive Director will be the Designated Authority, to determine when an incident may require "Enhanced Serious Occurrence Reporting." Enhanced Serious Occurrence Reporting procedures should be followed when emergency services (ie. police, fire and/or ambulance) are used in response to a significant incident involving a person supported and/or the incident is likely to result in significant public or media attention. The Ministry has developed an Enhanced Serious Occurrence Identification Tool to assist the Executive Director or designate determine when an incident may be considered enhanced. Within three (3) hours of becoming aware that an Enhanced Serious Occurrence has occurred, the Executive Director or designate will notify by telephone or facsimile the Ministry. The Ministry regularly provides up-to-date contact information and forms.

FOLLOW-UP REQUIREMENTS:

Any follow-up/outcome reports must be forwarded to the Ministry by the Agency. Upon review of the Inquiry Report, the Ministry Office may request additional information or a further review by the Agency. The Ministry also has the option of initiating its own review.

An Annual Summary and Analysis Report of all serious occurrences recorded from the previous year period must be submitted to the Ministry using the Ministry provided Annual Summary & Analysis Report form and within the time frame specified by the Ministry.

SERIOUS OCCURRENCE STEPS & RESPONSIBILITIES SUMMARY (cont'd)

<p>6. <u>Annually</u> Executive Director or designate</p>	<p>⇒ Annual Summary & Analysis Report submitted to Ministry Regional Office, according to required time frame; ⇒ When requested, follow-up action outcome report(s) submitted to Ministry Regional Office.</p>
<p>7. <u>Ongoing</u> Executive Director or designate</p>	<p>⇒ In-year monitoring of serious occurrence related issues; ⇒ Conducting follow-up actions in a timely manner; ⇒ Identifying and addressing any trends which might indicate a need for training, support or internal Agency policy modifications.</p>

APPENDIX A
Serious Occurrence to Enhanced Serious Occurrence Reporting

Serious Occurrence Category For a complete definition, please refer to the guidelines above	The incident may be enhanced if ...
1. Death of a person supported	<ul style="list-style-type: none"> • Suspicious circumstances or negligence could be perceived to have contributed to the death.
2. A serious injury to a person supported: a) An injury caused by the service provider b) A serious accidental injury c) A serious non-accidental injury	<ul style="list-style-type: none"> • The injury is currently life-threatening • Suspicious circumstances or negligence could be perceived to have contributed to the cause of the injury
3. Any alleged abuse of a person supported	<ul style="list-style-type: none"> • MCSS: In adult developmental services, any alleged, witnessed or suspected incident of abuse that may constitute a criminal offence shall be immediately reported to the police
4. Missing Person	<ul style="list-style-type: none"> • The person supported age or mental capacity makes him/her especially vulnerable. • A crime is suspected to have occurred in conjunction with the person supported going missing (ie. abduction, stolen vehicle, assault on Staff). • The service provider contacted the police and an amber alert or a similar public awareness tactic is planned. <p>Note: Do not report incidents in this category as enhanced if the incident has already been resolved (ie. missing person supported has returned).</p>
5. Disaster/Disease	<ul style="list-style-type: none"> • The incident is a lock down relating to a serious incident occurring in your service provider location • The incident is an outbreak of a serious contagious disease or virus, such as C. Difficile or SARS. • The incident caused major damage to a service provider's location and will significantly disrupt the delivery of services. <p>Note: Do not report incidents in this category as enhanced if the incident has already been resolved (ie. lockdown has been lifted).</p>
6. A complaint about the service provider	<ul style="list-style-type: none"> • The individual or group who complained has contacted the media • A Staff member has been arrested for a serious crime that may have affected persons supported • The complaint is about a topic that is often covered in the media.
7. A complaint made by or about a person supported and any other serious occurrences	<ul style="list-style-type: none"> • The incident involves serious criminal activity on the part of the person supported.
8. Restraint of a person supported	<ul style="list-style-type: none"> • Service provider Staff applied a physical restraint that resulted in a life-threatening injury.