



Community Child Care Fund Restricted

Factsheet: Notification of Serious Incidents

Purpose

To advise services in the Community Child Care Fund Restricted (CCCFR) program how they must report serious incidents to the Australian Government Department of Education, Skills & Employment (DESE).

Background

As a requirement of the *Child Care Subsidy Minister's Rules 2017*, all eligible Community Child Care Fund Restricted (CCCFR) grant recipients are required to report serious incidents to DESE by completing the Serious Incident Form within 24 hours after the serious incident occurs. The form will ensure that we are aware of any circumstance arising at the service that poses a risk to the health, safety or wellbeing of a child or children attending the service.

Note:

- CCCFR services that are licensed and/or regulated by State and Territory Regulatory authorities are also required to report serious incidents to the relevant regulatory authority within 24 hours.
- CCCFR providers, educators and other education and care service staff may also be required to report on incidents or suspected incidents involving children under other state and territory laws including child protection legislation.

What Is A Serious Incident?

A serious incident includes any of the following that occurs while a child is being educated and cared for by a children's service:

- the death of a child while being cared for by the service or as a result of an incident that occurred while being cared for by the service
- any incident involving injury, harm or trauma to or illness of a child while being cared for by the service for which
 - the attention of a medical practitioner was sought, or ought to have been sought, or
 - the child attended, or ought to have attended, a hospital
- any incident for which the attendance of emergency services at the premises where care is usually provided is sought or ought to be sought
- a child being cared for
 - is missing
 - appears to have been taken or removed from the premises where the service provides the care in a manner that would contravene the National Regulations, regardless of whether the regulations apply, or
 - is accidentally locked in or locked out of the premises where the care is being provided or any part of those premises.

What Is Physical and/or Sexual Abuse?

In [Part 2 \(Div 2\)\(9\)](#) of the *Child Care Subsidy Minister's Rules 2017*, a child is taken to be at risk of serious abuse or neglect if the child is at risk of suffering harm as a result of being subject to, or exposed to, one or more of the following:

- (a) Serious physical, emotional or psychological abuse
- (b) Sexual abuse
- (c) Domestic or family violence
- (d) Neglect.

Harm means any detriment to the child's wellbeing. **Neglect** means a failure to be provided with the basic needs that are essential for the child's physical and emotional wellbeing. It is also relevant to consider risk factors and signs of abuse such as sexualised behaviour or suspected grooming.

It is a criminal offence if you fail to protect and to report a reasonable suspicion of child abuse. This includes any **incident** or **allegation** where you reasonably believe that physical and/or sexual abuse of a child has occurred or is occurring while at the service.

What Are Your Obligations?

The *Child Care Subsidy Minister's Rules 2017* states:

The provider must implement appropriate arrangements to manage serious incidents, including (without limitation) notifying the Secretary in writing within 24 hours after:

- a) a serious incident occurs; or
- b) a circumstance occurs that could have resulted in the occurrence of a serious incident.

This means that all CCCFR services (other than those approved under National Law) must:

1. implement appropriate arrangements including policies and procedures that effectively manage incidents and emergencies. Refer to the [Education and Care Services National Regulations 2011](#) (Part 4.2) as a guide;
2. notify the Department, using the Serious Incident Notification Form, about any serious incident that occurs or could have occurred at the service, or during any excursion or outing with the service, that poses a risk to the health, safety or wellbeing of a child attending the service.

What Is The Process?

1. Complete the Serious Incident Notification Form within 24 hours and email the form to: CCCFRrestricted@dese.gov.au with **Serious Incident Notification** in the subject line.
2. If you reasonably believe that an incident or allegation of child sexual or physical abuse is occurring, you are mandated and responsible to immediately report to your state or territory reporting authority and provide us with the mandatory reporting number that you will receive, in addition to the Serious Incident Notification Form. For further information about the reporting authority in each state and territory, you can visit the [Child Family Community Australia](#) or your [Regulatory Authority](#) for details.
3. In instances where DESE staff are unable to confirm that a mandatory report has been made to the appropriate reporting authority, we are required by law to report on reasonable grounds, any child at risk of significant harm or incidents and allegations of child sexual or physical abuse (as prescribed under *Criminal Code Act 1995* (the Criminal Code) and *Crimes Act 1914*).

How to use the form?

The Serious Incident Notification Form can be accessed as a Word or PDF document.

1. **Word** document: Please print form, write clearly in BLOCK LETTERS and use a blue or black pen. Do not use correction fluid. The signatory should initial any corrections to this form. Sign and scan the form and then attach to the email before sending to the CCCFR team at CCCFRrestricted@dese.gov.au.
2. **PDF** document: Complete the digital smart form and sign using a digital signature, before saving and attach to the email before sending to the CCCFR team at CCCFRrestricted@dese.gov.au.