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|  | ***Commonwealth of Massachusetts*** |
| ***Executive Office of Health and Human Services*** |
| **Department of Youth Services** |
| **Official Policy** |

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|  | ***Policy Name:*** | Serious Incident Reporting to DYS CIC and through JJEMS | |
|  | ***Policy #:*** | 01.03.05(g) | ***Effective Date:*** |
|  | ***Repeals:*** | 01.03.05(f) |  |
|  | ***References:*** | G.L. c. 119, §51A On Call Procedures  JJEMS Incident Reporting Job Aide | |
|  | ***Signature:*** |  |  |
|  |  |  | **08/05/2020** |
|  | Peter J. Forbes, Commissioner | | |
|  | ***Applicability:*** | This policy shall apply to DYS and its providers. | |

# Policy

It is the policy of the Department of Youth Services (“DYS”) that employees shall report events as defined by this policy immediately to the DYS Communication Information Center (“CIC”) and through the DYS juvenile justice enterprise management system (JJEMS). Reporting of serious incidents assists DYS in ensuring an appropriate response including rapid communication, preservation of evidence, and swift investigation.

Serious incidents shall be reported for events as defined by this policy that take place or involve youth or employees in overnight arrest programs, detention or assessment programs, hardware or staff secure residential programs, community placement or under a Youth Engaged in Service (YES) agreement unless indicated otherwise.

# Procedures

1. Definitions
   1. The following definitions shall have the meanings assigned to them in this policy for purposes of interpreting this policy.

Business Day: Monday through Friday from 9 am to 5 pm.

Correction: Change of inaccurate information entered into the JJEMS group incident folder such as the wrong name of a youth, employee, date or some other information that was entered incorrectly.

**Page 1 of 5**

**Serious Incident Reporting**

Central Office On-Call Administrator: Identified senior manager from the DYS Central Office who is on-call for after-hours and weekend notifications.

Communication Information Center (CIC): DYS Central Office Unit staffed twenty-four hours per day, seven days per week to receive reports of serious incidents, coordinate the issuance of warrants, make notifications to senior managers, and perform other emergency-related tasks.

Nightly Situation Report: Daily report from CIC notifying identified DYS managers of the previous night’s agency-wide serious incidents and situations.

Regional On-Call Administrator: Senior manager from one of the DYS regions who is on-call for after-hours and weekend notifications.

Reporter: Any DYS state or contracted provider employee authorized to access JJEMS.

Serious Incident -Program (Non Youth Related): Incidents that include:

* + 1. Contraband not associated to a specific youth
    2. Evacuation from a location
    3. Facility damage over $500
    4. Fire
    5. Media presence at a DYS leased, owned or funded location
    6. Missing medication
    7. Missing program property over $100
    8. Missing safety and security items
    9. Outside threat
    10. Shelter in-place
    11. Other incident considered to be serious but not specifically listed

Serious Incident - Youth Related: Incidents that include:

1. Committed youth in community placement involved in a shooting, stabbing or sexual assault
2. Death of a youth
3. Alleged sexual boundary violation, sexual abuse, child sexual exploitation, sexual harassment, and/or retaliation involving a youth as defined by DYS Policy
4. Alleged discrimination, harassment, or retaliation involving a youth as defined by DYS policy
5. AWOL from a residential placement or community based option (CBO)
6. Call to emergency psychiatric screening
7. Contraband that poses a safety/security risk
8. Emergency response involving a youth in a DYS leased, owned, or funded location including fire, ambulance, or police
9. Group disturbance within any DYS leased, owned or funded location
10. High profile incident involving a youth
11. Injury or illness of a youth requiring treatment of more than first aid including if youth is treated ‘off site’ at a medical location
12. Media presence at a DYS leased, owned or funded location

**Page 2 of 5**

**Serious Incident Reporting**

1. Medication occurrence requiring emergency medical treatment
2. Physical Assault
3. Suspicious or unexplained medication loss
4. Notification to law enforcement due to threat on person or property
5. Unauthorized access or use of internet/websites
6. Use of Naloxone Rescue Kit
7. Youth arrested on a grid level 4 or higher charge
8. Room Confinement for 12 or more consecutive hours as defined by DYS Policy
9. Alleged abuse or neglect of a youth in which a 51A report is filed with the Department of Children and Families (DCF) against a DYS state or contracted provider employee or program
10. Other incident considered to be serious but not specifically listed

Serious Incident – Employee Related: Incidents that include the following:

1. Death of a DYS state or contracted provider employee
2. Injury or illness of a DYS state or contracted provider employee that occurred at a work location and requires medical attention on or off site
3. Use of Naloxone Rescue Kit
4. Arrest of a DYS state or contracted provider employee for any offense
5. Alleged discrimination, harassment, sexual harassment or retaliation involving an employee as defined by DYS, EOHHS and/or HRD Policy
6. Alleged Workplace Violence or Domestic Violence in the workplace as defined by DYS, EOHHS and/or HRD Policy
7. Other incident considered to be serious but not specifically listed

Serious Incident Report form: A standardized paper form that is submitted electronically to CIC with information regarding a serious incident – employee only and does not involve a DYS youth.

Shift: Work periods in residential locations during 24 hours of the day. Typically shifts run from 7 am to 3 pm; 3 pm to 11 pm; and 11 pm to 7 am but can differ in terms of the number of hours in a shift and the actual start and end time of a shift.

Submitter: Regional Director, Regional Director of Operations, Regional Directors of Residential Services, Regional Clinical Coordinators, Regional Directors of Community Services, Facility Administrators, District Managers, Program Directors and Assistant Program Directors.

Youth Engaged in Services (YES): Youth committed as a juvenile delinquent or youthful offender who voluntarily engages in services post discharge with DYS until age of 22.

1. Terms that are defined in Policy No. 01.01.04, “Policy Definitions” shall have the meanings assigned in that policy, unless a contrary meaning is clearly intended.
2. Terms not defined in Policy No. 01.01.04 or in this policy shall have the meanings assigned by accepted dictionary definitions of American English.

**Page 3 of 5**

**Serious Incident Reporting**

1. Serious Incident Notification and Submission of Information
   1. A Reporter shall notify DYS Central Office CIC by telephone of a Serious Incident as soon thereafter as possible, but no later than the end of the shift and obtain a CIC log number.
   2. If such incident is defined as a Serious Incident – Employee Related, the Reporter shall complete a paper version Serious Incident Report Form and send such form via email to CIC within 24 hours of the incident.
   3. For Serious Incident- Program or Serious Incident-Youth Related, the Reporter shall as soon thereafter as possible, but no later than the end of the same shift:
2. Enter required information regarding the incident into the JJEMS Incident Group Folder including the CIC Log Number if a serious incident; and
3. Save such information so that it is ready for review.
4. If incident occurs too close to end of the shift to complete the report, Reporter shall enter information by the end of the next shift.
   1. Upon receiving the electronic report from JJEMS, the Submitter shall by the end of the next business day:
5. Review and make any corrections to the original entry if inaccurate, such as date or names; and,
6. Submit the form through the JJEMS incident reporting system.
7. If the Submitter has additional information about the incident, then in the narrative section, the Submitter, in bold capital font should write: **ADDITION:** and then insert additional information in the narrative box without removing the original entry.
8. If reporting location is different from where the location where the incident occurred, i.e. different program, Submitter may contact reporting location for further details prior to submitting and add an **ADDITION** to the narrative if they wish to add more information.
   1. Any DYS state or contracted provider employee may report to the DYS Director of Investigations any incident that is not listed in the Serious Incident definition section of this policy for determination of how to report an incident.
   2. The employee reporting may request to CIC that the incident be kept confidential. Upon this request, CIC will notify the DYS Human Resources Unit and Investigations Unit for further determination and before the next the Nightly Situation Report is issued.
9. Notification of Additional Information

**Page 4 of 5**

**Serious Incident Reporting**

* 1. Location Manager or designee shall provide CIC with updated information for ongoing situations every shift until the issue is resolved (for example, the youth returns to the program or power is restored). Updates may be noted in JJEMS under the appropriate folder and/or file but do not require a new incident.
  2. New information regarding an incident may be considered a new incident to be reported under Section B. For example, a reported incident may be that a youth received an injury requiring medical treatment. A second incident may then be reported through JJEMS incident reporting that a 51A was filed.
  3. Once submitted in JJEMS, addendums can only be made by the Director of Operations group which includes the Commissioner, Deputy Commissioners, Regional Directors and Regional Directors of Operations.

1. Reporting by DYS Central Office CIC
   1. After receiving the telephone notice as referred to above in section B 1 (a), CIC personnel shall immediately notify the Central Office On-Call Administrator and the Regional On-Call Administrator, if between 5 pm - 9 am Monday through Friday, on a weekend or a holiday. On Monday – Friday between 9 am - 5 pm, CIC shall notify the Regional Director and a Central Office On Call Administrator.
   2. After receiving a Serious Incident Report form or phone notification of a serious incident, CIC personnel shall enter the information into the CIC log and the Nightly Situation Report.
   3. If CIC receives any updated information, the CIC personnel will update the appropriate Regional and Central Office on-call Administrator, CIC log and enter the information into the Nightly Situation Report
   4. The Central Office On-Call Administrator shall make a decision as to whether CIC personnel shall notify the Commissioner, Deputy Commissioner(s), Assistant Commissioner and other senior managers in accordance with the Central Office On–Call Procedures.

**Page 5 of 5**

**Serious Incident Reporting**