



Policy Type: Administrative

Category: Administrative Practices

Policy Name: Notification of Major or Sensitive Incidents (Incident Notification)

Policy Owner: County Executive; County Counsel

Policy Purpose

The safety and security of County employees and those in the County's care are among the highest priorities for the County. In order to take action to ensure the safety of these individuals, it is imperative that key County officials (including the County Counsel, the County Executive and the Chief Operating Officer) be made aware, in a timely manner, of any incident involving the safety or security of a County employee or individual in the County's care.

The Office of the County Counsel's (County Counsel) early involvement in a significant incident is essential to allow for the timely provision of legal advice and risk mitigation, as well as investigation and preservation of records, as applicable.

Similarly, it is important that any media-sensitive events are reported as quickly as possible so that County officials are better prepared to handle inquiries, and to allow the County to provide an appropriate response to incidents.

This policy directs departments to provide incident information, including confidential information, to the County Counsel (1) so that County Counsel can convey that information to the appropriate County officials and



employees in an appropriate manner and (2) to enable the timely provision of appropriate legal advice or investigation.

Policy Summary

All major and/or media-sensitive incidents must be reported in a timely manner to the County Counsel. It is imperative that this reporting be made as soon as possible to ensure that the details of the incident are properly documented and to provide County Counsel with the information necessary for addressing any potential liability stemming from the incident. It is also imperative that the reporting to County Counsel be made as soon as possible to allow County Counsel to inform the County Executive and the Chief Operating Officer, and others, as appropriate, of incidents in a timely and confidential manner.

Major or sensitive incidents that require reporting include, but are not limited to:

- Serious injury or death of any County employee and/or contractor at work or related to their employment with the County;
- Serious injury or death of any person in the County's care (except for deaths and injuries resulting from natural causes at Santa Clara Valley Medical Center (SCVMC) and injuries occurring at SCVMC that do not meet the definition of "serious disability" set forth in California Health & Safety Code section 1279.1(d));
- Serious injury or death of any person on County-owned or operated property, including but not limited to facilities, roads, sidewalks, and parks (except for deaths and injuries resulting from natural causes at Santa Clara Valley Medical Center (SCVMC) and injuries occurring at SCVMC that do not



meet the definition of "serious disability" set forth in California Health & Safety Code section 1279.1(d);

- Serious damage to property of another by a County employee;
- Serious-injury traffic collisions involving a County vehicle;
- Criminal conduct involving a County employee;
- Deputy-involved shooting;
- Emergency vehicle pursuit resulting in injury or death;
- Any event that has a significant possibility of resulting in a claim or lawsuit against the County;
- Any event that has a significant possibility of receiving public or media attention.

Reporting Major or Media-Sensitive Incidents

To report a major or media-sensitive incident, departments must immediately provide information concerning the incident to County Counsel to enable County Counsel to provide appropriate legal advice, to timely notify County officials (including but not limited to the County Executive and the Chief Operating Officer), and to timely investigate the incident. The information provided to County Counsel is specified on the Incident Notification Form.

It is the responsibility of each department to ensure that its staff is familiar with the Incident Notification procedures, that each employee understands the importance of reporting major or media sensitive incidents in a timely



manner, and to develop internal department procedures to ensure timely reporting of incidents to County Counsel in conformance with this policy. County employees must exercise judgment to determine what might constitute a major or media-sensitive incident requiring reporting under this policy, separate and in addition to any other County reporting requirements, and should consult with their department's management and the Office of the County Counsel in order to make this determination.

This reporting is separate and in addition to any notice regarding major incidents to the Sheriff's Office investigator assigned to the Office of the County Counsel. This reporting is also separate and in addition to any occurrence/event reporting utilizing the Safety Intelligence online reporting system to communicate between the reporting person, Santa Clara Valley Medical Center organizational leaders, and County Counsel.

Procedures

Reporting a Major or Media-Sensitive Incident to County Counsel Using the Incident Notification Form

- 1) Once a major or media-sensitive incident has occurred, the **Department Head** or designee shall immediately complete the Incident Notification Form, and send the completed Form only to the Office of the County Counsel as an MS Word attachment to an email to [REDACTED] with the subject line: Incident Notification – [Name of Department].
- 2) The **Department Head** or designee must provide the following information on the Incident Notification Form to County Counsel:
 - a) The name of the submitter and submitting department.



- b) Whether it is a notification of a new incident or an update on a previously reported incident.
 - c) The name, phone number, and email address of the best available contact for immediate access to a member of the department's staff who can answer questions regarding the incident.
 - d) An indication of whether press coverage of the incident is likely.
 - e) A description of the incident, including the date, time, and location of the incident.
 - f) The names and job titles of County personnel involved in the incident.
 - g) Whether any outside provider/agency is involved in the incident.
 - h) A description of any action taken in response to the incident.
- 3) Upon receipt of the Incident Notification, **County Counsel** shall notify the County Executive and Chief Operating Officer, and others, as appropriate, of the incident.

Definitions

None.

Frequently Asked Questions

None.



Related Policies

- Notification of Security Breach of Personal Information - <https://saecommon.sccgov.org/countypolicy/Notification-of-Security-Breach-of-Personal-Information.pdf>
- PH #811.19 – Incident Reporting Procedure - [url]/sites/phd/policies/policies/Incident%20Reporting%20Procedure.pdf
- VMC #816.1 – Occurrence/Event Reporting - [url]/sites/vmc/policies/policies/Occurrence-Event%20Reporting.pdf

Related Forms and Information

- Incident Notification Form - [url]/sites/policies/FormsrelatedtoPolicies/Incident-Notification-Form.docx

History

Date	Changes Made
5/7/2018	Policy Redacted.
6/22/2017	Update to Policy and Form. (Kyle Larson)
9/10/2015	Incident Notification Form Updated. (Kyle Larson)
2/07/2014	Policy Uploaded. (Kyle Larson)