

Customer Incident and Reportable Incident Procedure



Purpose

The purpose of the procedure, incorporating open disclosure, is to provide direction to staff to ensure the effective and efficient reporting and management of incidents. The procedure ensures a uniform approach to the management of incidents and harm minimisation. The procedure outlines the process and key considerations when managing incidents including:

- Describing the process to follow for identifying an incident including mandatory reportable Incidents to ensure consistency across the business as depicted in the incident management process and Incident Management Flow Chart
- The incident management system comprises of systems of identification, response, assessment, reporting, reviewing, investigating, responding, and monitoring of outcomes ensuring that investigations occur in a timely and effective manner
- Describing the Incident Classification
- Describing the Mandatory incident reporting process- as depicted in the Incident Classification Table
- Increase awareness of mandatory reporting requirements and our legislative obligations
- Ensure those involved in, or affected by, the reportable incidents receive appropriate assistance and support through reportable incident debriefing and EAP support
- Ensure employees, volunteers, contractors and students are aware of their responsibilities relating to the reporting and management of incidents
- Highlighting the assistance and support available to people impacted by incidents
- Ensuring the learnings from incident review and investigations are applied to minimise future risk and improve service quality.

Please note: If an incident relates to the harm (abuse or neglect) of a child or young person, please follow the reporting procedure in the Child Safe Policy and the 5 Step Response to Harm Flow Chart.

Definitions for the purpose of this policy the following definitions apply:

| Word | Definition |
|------------------|---|
| <i>Incidents</i> | <p>Acts, omissions, events or circumstances that occur or could occur during or in relation to the provision of supports, or the alteration or withdrawal of supports, that cause harm, either physically or emotionally, to a worker, customer, or other stakeholder. Incidents also include acts, omissions, events or circumstances that have caused or could cause damage to property, the environment, material or cause public alarm.</p> <p>An incident includes but is not limited to:</p> <ul style="list-style-type: none"> • Medication error • Fall/trip/slip/collapse • Injury • Behaviour of concern or that may result in harm |

Customer Incident and Reportable Incident Procedure



| | |
|---------------------------------|---|
| | <ul style="list-style-type: none"> • Choking or swallowing problems • Missing or absconding persons |
| <i>Reportable incidents</i> | <p>Refer to incidents, or alleged incidents, of severity that must be reported to an external agency, including NDIS commission, DCP. This includes but is not limited to:</p> <ul style="list-style-type: none"> • The death of a person with disability. • Serious injury of a person with disability. • Abuse or neglect of a person with disability. • Unlawful sexual or physical contact with, or assault of, a person with disability (excluding, in the case of unlawful physical assault, contact with, and impact on, the person that is negligible). • Sexual misconduct committed against, or in the presence of, a person with disability, including grooming of the person for sexual activity. • The use of an unauthorised restrictive practice in relation to a person with disability • Missing Person |
| <i>Behaviour Incident</i> | <p>Any event where a customer exhibits behaviour that causes or threatens harm to a person(s) or property damage; or limits or stops the provision of services; and/or intervention is required to prevent or limit harm.</p> <p>A behavioural event which occurs separately or in a chronological series with other related events to create a behavioural sequence.</p> |
| <i>Customer</i> | Individuals receiving a support or service, attending Access4u premises, receiving funded supports at home, at day options, in the community or in HALO. |
| <i>Customer Health Incident</i> | Any unplanned event which causes or has the potential to cause harm to the health of a customer. This could include a fall, seizure or choking episode. |
| <i>Community Impact</i> | Any event that impacts adversely on the community, places the community at risk, or is detrimental to Access4u’s reputation. |
| <i>Mandatory Reporting</i> | Reporting to external authorities required to meet our legislative and approved provider responsibilities. |
| <i>Injury Occurred</i> | Any unplanned event resulting in any physical and/or psychological damage to a person. |
| <i>In connection with</i> | Is defined as incidents that may have occurred during the course of supports or services being provided, altered or withdrawn. An incident does not necessarily have to occur during the provision of supports or services to be connected with the support or service being provided. For example, while not exhaustive, the type of incidents that will be considered to have occurred in connection with the provision of supports or services include: |

Customer Incident and Reportable Incident Procedure



| | |
|-----------------------------|---|
| | <ul style="list-style-type: none"> when a person with disability is receiving a support or service (for example, where a person with disability is receiving care from a mentor) when a person with disability attends the premises of an NDIS provider, or where the support or service is 'off-site', and an incident occurs at the location where those supports or services were provided when the person is receiving funded supports in the home |
| <i>Medication Incident</i> | Breaches of pharmacy protocols or pharmacy security arrangements and errors in pharmacy dispensing that result in customers not receiving the correct medication. |
| <i>Minor incident</i> | Minor or moderate behaviour which is consistent and is not out of character. |
| <i>Missing person</i> | Unable to be located at their accommodation and surrounds, place of work or scheduled activity and their whereabouts cannot be established. |
| <i>Absconded Person</i> | Customer under court order or guardianship due to the customer's vulnerability who cannot be located in their usual place of occupancy, their whereabouts is not known and cannot be established. |
| <i>Open Disclosure</i> | Is a process of providing an open, consistent approach to communicating with customers and their carer / support persons following an incident. |
| <i>Restrictive Practice</i> | Involve any practice, device or action that removes another person's freedom or interferes with another person's ability to make a decision. It does not include the use of devices for therapeutic purposes or to enable safe transportation of the person. Refer Access4u policy and procedure on same. |
| <i>Serious Injury</i> | In determining whether an injury is serious, consideration should be given to the level of harm caused. A serious injury includes but is not limited to a fracture, burn, deep cut, extensive bruising, concussion, or any other injury resulting in hospitalisation |
| <i>Significant incident</i> | An incident that involves potential harm to self or another, in terms of physical, emotional or psychological distress. Behaviour which is out of character and raises concerns. |

Procedure

Induction and staff training

All staff must be familiar with Access4u's incident management system, understand Access4u's definition of a Reportable Incident, and understand the procedures they must follow for reporting all incidents to Access4u and an external body (if required). All staff must complete the internal LMS Complaints Management and Incident reporting training.

Customer Incident and Reportable Incident Procedure



Access4u promotes a culture of open reporting and ensures that all workers understand that they are supported to report any incident or alleged incident, and that there will be no negative consequences for doing so.

Incident identification

If a worker observes an incident, or a customer or member of the public notifies a worker about an incident that does or could cause permanent or temporary detriment to a customer, worker or other stakeholder, then the worker must report the incident to the CEO, the Senior Manager Specialist Services or the Quality and Compliance Officers.

Workers and customers will be protected against any adverse actions as a result of reporting or alleging that an incident has occurred.

Immediate response

Where possible, an incident will first be addressed by Access4u's personnel responsible and qualified to effectively manage the incident as it takes place. First respondents understand that they must contact emergency services if the situation warrants.

Notification procedures

Staff must report incidents to various agencies and persons based on the following priority system:

- For serious incidents workers must first contact emergency services
- Workers must report all incidents internally to the CEO, the Senior Manager Specialist Services or the Quality and Compliance Officer(s) by completing an incident report form.
- If it is determined that the incident is serious the CEO or the Senior Manager Specialist Services are responsible for notifying families, guardians and advocates of the customer.
- If an incident is a Reportable Incident, the Quality and Compliance Officer(s) will notify the relevant external body within the expected timeframe of the external body.

Notifying the NDIS Commission of reportable incidents

If a worker becomes aware of a possible reportable incident that has or is alleged to have occurred, they must report the incident to the CEO, the Senior Manager Specialist Services or the Quality and Compliance Officers.

The Senior Manager Specialist Services or the Quality and Compliance Officer(s) will be responsible for notifying the NDIS Commission of a reportable incident, via the NDIS Commission Portal. This notification will be made to the NDIS Commission within the required timeframe of 24 hours of the reportable incident occurring, with the exception of an unauthorised use of a restrictive practice, which has a required timeframe of five (5) business days.

When notifying the NDIS Commission of a reportable incident, via the NDIS Commission Portal, the following mandatory information will be provided:

- Description of the incident, including the impact on, and harm caused to, the person with disability (exception for death)
- Details of the incident, including time, date, and place (if known)

Customer Incident and Reportable Incident Procedure



- Contact details, including name and contact details of the person making the notification, and any people involved in the incident (including witnesses)
- Immediate actions taken in response to the incident, including risk assessments, actions taken to ensure the health, safety and wellbeing of people with disability affected by the incident, and whether it has been reported to police or another body

Incident report form

When reporting an incident staff must use the Access4u template form and forward it to their line manager, the Senior Manager Specialist Services and the Quality and Compliance Officer(s) within 24 hours. The incident report form includes:

- The time, date and location of the incident
- A description of the incident
- Names of all the people involved and, if applicable, witnesses
- Details of harm or injury
- Details of any restrictive practices used

Supporting customers

Throughout the incident management process, from initial response through to review, customers will be supported by Access4u through means of:

- Reassurance if the customer reported the incident
- Trauma and counselling services where required
- Changes to regular supports if necessary
- Clear, ongoing communication regarding the progress and outcomes of the investigation.

Customers will be involved in the management and resolution of the incident where appropriate.

Classification

The Senior Manager Specialist Services or the Quality and Compliance Officer(s) are responsible for reviewing and classifying every incident into one of the following three categories:

- **Reportable** – Serious incidents or alleged incidents that are reportable to the NDIS Commission. Specific types of reportable incidents include:
 - The death of a person with disability.
 - Serious injury of a person with disability.
 - Abuse or neglect of a person with disability.
 - Unlawful sexual or physical contact with, or assault of, a person with disability (excluding, in the case of unlawful physical assault, contact with, and impact on, the person that is negligible).
 - Sexual misconduct committed against, or in the presence of, a person with disability, including grooming of the person for sexual activity.
 - The use of an unauthorised restrictive practice in relation to a person with disability

Customer Incident and Reportable Incident Procedure



- **Significant** – An incident that involves potential harm to self or another, in terms of physical, emotional or psychological distress. Behaviour which is out of character and raises concerns.
- **Minor** – Minor or moderate behaviour which is consistent and is not out of character.

Assessment and investigation

The Senior Manager Specialist Services or the Quality and Compliance Officer(s) are responsible for creating an initial assessment of any incident, to determine the severity of an incident and to establish the need for, and scope of, an investigation. If an incident is a Reportable Incident, an internal investigation will take place. All investigations will be undertaken and conducted in accordance with principles of natural justice and procedural fairness.

The Senior Manager Specialist Services or the Quality and Compliance Officer(s) will send an acknowledgement letter to notify the customer or their nominee of any Reportable and Significant incidents.

Incidents involving criminal allegations will be reported to law enforcement, who will receive full support of Access4u in their investigations.

Whenever an investigation into an incident is conducted, it should:

- Establish the cause of the incident
- Establish the effect of the incident
- Include consultation with the customer/family/advocate
- Identify any organisational processes that contributed to or did not function in preventing an incident
- Changes Access4u can make in order to prevent further incidents from occurring
- Ensure everyone involved in the investigation understands their role and responsibilities and will be accountable for decisions or actions taken in regard to an incident.

Information related to incident investigations, including records of phone conversations, emails, documents and, where possible, records of face to face interviews will be recorded and kept in strict confidence. Documents will be stored in the secure incident management folder with access restricted to management, relevant coordinators and the Quality and Compliance officers.

Incident resolution

Based on the initial assessment, Access4u may undertake remedial action proportionate to the severity of the incident, including but not limited to:

- Providing an apology
- Disciplinary action
- Financial compensation

Access4u will inform and involve customers, family and advocates in the process of incident management and resolution.

For all reportable and significant incidents, The Senior Manager Specialist Services or the Quality and Compliance Officer(s) will write to the customer or their nominee with details of the investigation and conclusion.

Customer Incident and Reportable Incident Procedure



Incident register and review

Access4u keeps an accurate register of all incidents that occur in relation to the provision of services. Each entry in the register contains:

- A description of the incident
- A determination of whether or not the incident is a Reportable Incident
- Where possible, time, date and location
- Names or initials of all the people involved
- Details of the incident assessment, including notifying the customer or their nominee
- Actions taken in regard to the incident (eg. changes to services, review of policy or procedure, staff training).

Access4u will review this information regularly to understand trends, address systemic issues and inform improvement activities. This information will be summarised in a monthly incident report and provided to the Board.

Records will be kept for a minimum of seven years.