

Incident hazard and near-miss management procedure

Purpose

The purpose of this procedure is to provide Access4u (us, we, our) with an effective, standardised system for reporting and managing incidents, hazards and near-misses. Compliance with this procedure supports

- the safety and wellbeing of our customers, employees and other people
- accurate and consistent documentation of circumstances relating to the incident, hazard or near-miss
- internal and external notifications (if required)
- identification and evaluation of risks associated with services
- open disclosure to customers and their families about any incidents, hazards or near-misses
- the identification of continuous improvement actions

Scope

Compliance with this procedure is mandatory for all our staff, contractors, students, volunteers, visitors, board members, and any other person supporting our customers or that have a responsibility for the safe operation of our services, collectively referred to as 'employees' throughout this document.

This procedure is relevant for all incidents, hazards, near-miss, sleep disturbance, injury and accident reports submitted via our incident management system (IMS).

This procedure must be read in conjunction with our Incident management policy and Child abuse report line (CARL).

Responsibilities and delegations

This policy applies to	Governing Body. Staff and Volunteers
Specific responsibilities	The Board – Responsible for ensuring effective governance mechanisms are in place. The CEO and Managers – Responsible for monitoring and ensuring adherence to Policy and related procedures. Ensure due diligence and take reasonable steps to ensure Access4u are meeting their obligations. Ensure objectives of the policy are achieved. Staff – Responsible for adherence to this and related policies, procedures and forms that support this policy.
Policy approval	CEO

Policy context – this policy relates to:

Standards	• Family and Community Services Act 1972 • National Disability Insurance Scheme Quality and Safeguarding Framework • National Standards for Out-of-Home care (NOOHCS) • The Office of the Guardian for Children and Young People - Charter of Rights
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Legislation	• Children and Young People (Safety) (Transitional Provisions) Regulations 2017 • Children and Young People (Safety) Act 2017 • Children's Protection Law Reform (Transitional Arrangements and Related Amendments) Act 2017 • Coroners Act 2003 (SA) • Disability Discrimination Act (DDA) 1992 • Fair Work Act 2009 (Cth) • National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018 • National Disability Insurance Scheme Act 2013 • NDIS Complaints Management and Resolution Rules 2018 • Privacy Act 1988 (Cth) • The Disability Act 2006 • The Disability Services Act SA 1993
Contractual obligations	• Government of SA, DCP Contract Management Framework • NDIS Code of Conduct
Organisation policies and procedures	• Child abuse report line (CARL) • Code of Conduct • Disciplinary policy and procedure • Supervision policy and procedure • Emergency Management Preparedness Scenario procedure • Employee assistance procedure • Reporting abuse of vulnerable adults procedure • Feedback and complaint management policy • Grievances and disputes policy • Hazards policy • Incident management procedure • Incidents of a critical and/or distressing nature procedure • Privacy policy • 5 Step response to abuse flow chart
Forms, record keeping, other documents	

Procedure Statement

Our IMS aims to maximise the safety and wellbeing of our customers and employees and ensures accountability for the management of incidents, hazards, near-miss, injury and accident reports.

We comply with all funding bodies, state and Commonwealth legislation and regulations in relation to reporting of all notifiable incidents. Refer to our Incident management policy for detailed information about incidents that are notifiable.

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The privacy and confidentiality of incidents, hazards and near-misses must be respected at all times, and considered during review, management and escalation. Refer to our Privacy policy and Code of Conduct for more information on privacy and confidentiality.

Implementation

Types of events

When using the Incident, hazard and near-miss flowchart, an 'event' is any incident, hazard, near-miss, accident or injury that involves a customer, employee or other person during the provision of our services and supports.

Serious event includes (but is not limited to):

- serious injury to a person that requires medical treatment or hospitalisation
- any incident that involves the police, fire or ambulance services
- significant property damage (requiring immediate repairs)
- events with health and safety implications
- events that may be of significant interest to the media

Moderate or minor event includes (but is not limited to):

- injuries to any person that may or may not require first aid
- moderate to minor property damage
- verbal abuse
- behaviours of concern
- sleep disturbance

Near-miss

- any event that did not, but could have caused harm, injury or damage

Sleep disturbance events

All sleep disturbances must be recorded in our incident management system. A number of factors have influenced this stance. When an employee claims a sleep disturbance, we need to have evidence an 'event' occurred which required them to actively support a customer.

In the circumstance where a customer is supported 2:1, both staff are required to submit an incident report to confirm the need for the passive staff member to become active.

In addition to the evidence needed to pay staff appropriately, sleep disturbance data, through incident reporting, supports an opportunity to identify behaviour changes or trends within a customer's life. This is vital to ensure customers receive the support they need as their support needs change.

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Responding to an event

Refer to the Access4u Incident reporting process summary for the management of any event. When an event occurs employees must

- Ensure the immediate safety of themselves, customers, other employees and visitors, and administer first aid if required
- Call 000 (triple 0) if police, fire or ambulance are required (refer to our Emergency Management Preparedness Scenario procedure)
- Follow any relevant care plan, behaviour support plan or other individualised support plan
- If an incident involves a member of the public
 - Remove any persons from danger
 - Administer any first aid if required
 - Tell the public you are from Access4u and provide your name
 - Provide them with an Access4u business card
 - You must contact police and ambulance (call 000) if any member of the public is assaulted, even if the person declines
 - Obtain names and contact details of all persons involved in the incident, if possible
 - Secure and evidence, if possible (if on premises ask if there is any CCTV and for it to be kept)
- If the event is a serious event
 - As soon as practicable
 - Employee to call line manager (or On Call if after hours)
 - Line manager to call Service Manager, Operations Manager or Executive Manager
 - Business Unit Lead, Service Manager, Operations Manager or Executive Manager to contact the customer's family or guardian (if relevant)
 - Business Unit Lead, Service Manager, Operations Manager or Executive Manager to contact Department for Child Protection (DCP).
 - If during business hours: DCP allocated case worker, supervisor or the manager of the office at which the child or young person is allocated.
 - If after hours: DCP Crisis care unit after-hours team.
 - If there is a reasonable suspicion of harm or risk of harm to a child or young person: DCP Child Abuse Report Line (CARL).
 - Refer to the [DCP Significant Incident Management - Requirements for Service Providers](#) for examples of significant incidents, and minimum requirements for response.
 - Business Unit Lead, Service Manager, Operations Manager or Executive Manager to contact the Chief Executive Officer (CEO)

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- CEO to contact the Board (if appropriate)
- As soon as practicable after the event is contained
 - Business Unit Lead, Service Manager, Operations Manager or Executive Manager to contact the Human Resources and Quality, Risk and Compliance departments (if appropriate)
 - Consider if there is any impact on the customer, employees or others, and take any additional action as required
 - Consider if there are any external reporting requirements that require immediate notification
- Within 24 hours after the event
 - If the event involves a customer, document in the progress notes
 - All employees involved or witness to the event must complete a report in our IMS
 - Line manager, Business Unit Lead, Service Manager, Operations Manager or Executive Manager to coordinate support for employees as required. This may include debrief, team meeting and/or referral to the Employee Assistance Program (refer to our Incidents of a critical and/or distressing nature procedure and Employee assistance procedure)
- If the event is a moderate or minor event
 - Seek guidance from line manager (or On Call if after hours) if required
 - Line Manager, Business Unit Lead, Service Manager, Operations Manager or Executive Manager to contact the customer's family or guardian (if relevant)
 - Consider if there is any impact on the customer, employees or others, and take any additional action as required
 - Within 24 hours after the event
 - If the event involves a customer, document in the progress notes
 - All employees involved or witness to the event must complete a report in our IMS
- If the event is a near-miss
 - Within 24 hours after the event
 - If the event involves a customer, document in the progress notes
 - All employees involved or witness to the event must complete a report in our IMS

Our Incident Review Group (IRG) identifies any incident that requires further investigation and determines any notifiable incidents.

All events that are criminal in nature will be referred to SA Police (SAPOL).

All events that are in breach of our Code of Conduct will be referred to our HR department.

Where an event involves employees from another service provider, we will ensure this information is passed on to the service provider as soon as practicable to support the safety and wellbeing of our customers and employees. We will seek to ensure a collaborative and open information sharing and corrective action approach,

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to enable a timely and effective resolution of the incident within the bounds of confidentiality and privacy legislative and regulatory requirements.

Reporting an event

Within 24 hours of an incident, hazard or near-miss event, all employees involved in or witness to the event must complete a report in our IMS. This includes incidents reported as an accident or injury.

As everyone recalls events differently, every report must be completed in each individual employee's own words. Reports must not be copied and pasted from another employee's report.

All reports must include:

- The date the event occurred
- The time the event occurred
- Location the event occurred
- Names of all employees present at the time of the event occurring
- Full name of customer(s) involved
- Names of any other people present (if known)
- A brief description of what happened before the event
- A detailed description of the event
- What employees did to support the customer
- A brief description of what happened after the event
- Details of any immediate external reporting or response, such as SA Police or SA Ambulance

All reports must be written objectively. This means everything written is based on facts and observations. Employees should document what was said, what they heard, what they saw and what the customer did.

When reporting an event that involved the use of a restrictive practice, employees must include

- What positive behaviour strategies were performed before the restrictive practice was used
- Exactly what restrictive practice was used, how it was used and for how long, such as
 - If a physical restraint, describe in detail where the customer was held, how they were held and how long they were held
 - If medication was administered, include the name, dose and time of administering the medication
- A detailed description of the event
- What employees did to support the customer
- A brief description of what happened after the event

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Management of a report

Within 1 business day, the line manager must review all incident, hazard and near-miss reports.

When assessing reports consider if the report requires additional notification. Further information on management of external notifications is included below. This may include (but is not limited to):

- Reportable incidents, to be reported to the NDIS Commission via the Quality, Risk and Compliance department
- Significant incidents, to be reported to DCP
- Notifiable incidents, to be reported to SafeWork SA
- Code of conduct breach, to be reported to our Human Resources department
- Hazard reports, to be reported to our Facilities Manager, refer to our Hazard identification, assessment and control procedure (WHS-PRO-002) for more information.
- Child Abuse Report Line (CARL), refer to our Child abuse report line (CARL) procedure for more information
- Adult Safeguarding Unit (ASU), refer to our Reporting abuse of vulnerable adults procedure for more information
- Other service providers, such as behaviour practitioner, occupational therapist and/or speech therapist as well as the customer, their family or guardian and support coordinator (where relevant)

When undertaking an assessment of the event, the line manager should consider

- why the event occurred and if it could have been prevented
- how well the event was managed and resolved
- what, if any, remedial action needs to be undertaken to prevent further similar events from occurring, or to minimise their impact

The line manager should also determine what further action should be taken, which may include

- providing ongoing support to impacted people and ensuring the ongoing wellbeing and safety of all people involved
- identification and implementation of improvements to practices
- identification of any systemic issues.
- further training or supervision for employees involved

Outcomes of the assessment should be discussed at team meetings.

Any further information, including outcome of the event review, must be updated in the IMS and the report closed.

Reportable incidents (NDIS Commission)

As a registered provider we must report to the NDIS Commission any serious incidents (including allegations) that occur during the provision of our supports or services involving a customer with NDIS funding. This includes

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- death
- serious injury
- abuse or neglect
- unlawful sexual or physical contact or assault
- sexual misconduct committed against, or in the presence of, a customer, including grooming
- the unauthorised use of a restrictive practice.

Our Quality, Risk and Compliance (QRC) department support with all incidents required to be reported to the NDIS Commission through the [NDIS Quality and Safeguards Commission Portal](#).

Most reportable incidents must be notified to the NDIS Commission within 24 hours of the QRC department being made aware of it, with a more detailed report about the incident and actions taken in response to it to be provided within 5 business days.

The unauthorised use of restrictive practice must be notified to the NDIS Commission within 5 business days of the QRC department being made aware of it. If there is harm to a customer, it must be reported within 24 hours.

A final report may also be required within 60 business days of submitting the five-day report. The NDIS Commission will advise us if a final report is required.

In all cases, the following must be assessed:

- the impact on the customer
- whether the incident could have been prevented
- how the incident was managed
- what, if any, changes are required to prevent further similar events occurring.

For more information, refer to the [NDIS Reportable Incidents Guidance](#).

Significant incidents (DCP)

As a DCP service provider, we must notify DCP of all significant incidents (including allegations), these are referred to as a 'care concern referral (CCR)'. These are events that cause or are likely to cause significant negative impact on the health, safety or wellbeing of children and young people, employees or others involved in the event such as:

- child death or serious injury (including expected death)
- a missing child (extreme risk)
- abuse and/or neglect in out of home care
- allegations of serious criminal offences
- serious threats to the safety of a site or person
- staff death or serious injury.

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Any serious event involving a child or young person must be reported to CARL, refer to our Child abuse report line (CARL) procedure for more information.

CARL will identify if a notification is a care concern. All care concern referrals are then sent to the DCP Care Concern Management Unit (CCMU) for assessment of the care concern. The Senior Manager Children's Services will be the key contact for DCP in relation to any care concerns and will support our employees through this process.

The CCMU will recommend one of the following response pathways for the management of each care concern:

- No action
- Case management response (minor care concern)
- Care concern review meeting (moderate care concern)
- Fact finding investigation (serious care concern)

DCP categorise care concerns into four different abuse categories (physical, sexual, emotional abuse and neglect).

At the conclusion of a moderate or serious care concern process, DCP will make a decision as to whether or not, on the balance of probabilities, abuse or a deficit in care is substantiated, undetermined or unsubstantiated. Refer to the [DCP Care Concern Process Flowchart](#) for more information.

Notifiable incidents (SafeWork SA)

We must notify SafeWork of fatalities and certain serious injuries/illnesses or dangerous incidents that occur at work as a result of the conduct of the business or undertaking. Incidents may relate to anyone at a workplace such as an employee, contractor or member of the public.

Any notifiable incidents must be reported immediately to our Executive Leadership Team. They will notify SafeWork SA of the incident.

Life threatening issues or a death must be reported by phone 1800 777 209 (statewide – 24 hours).

Non-life threatening injuries/issues can be reported by phone 1300 365 255, using the use the notifiable incident form or by email.

Refer to [SafeWork Australia's incident notification information sheet](#) for more information about mandatory reporting requirements.

Reporting a death

If an Access4u customer in residential accommodation, short term accommodation or respite care dies during the provision of our supports the State Coroner must immediately be notified of the death. This is because the death is defined as a reportable death under section 3 of the Coroners Act 2003 (SA).

If a customer dies, the Program Coordinator or Service Manager must immediately notify SAPOL and the CEO. The CEO will notify the State Coroner office on (08) 8204 0600, even if

- the customer died somewhere other than where they ordinarily lived, or where they received respite support (even if this is in hospital)
- the customer died of natural causes, or

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- the death may have already been reported, such as by the hospital if the death occurred in hospital.

This is because we have a responsibility for customers in our care and may have been exercising that duty of care for the customer at the time of their death. Reporting the death will ensure our reporting obligations under the Coroners Act 2003 (SA) is met. A heavy fine or prison term may result if a death is not reported.

Refer to our Incidents of a critical and/or distressing nature procedure for more information.

Support for customers involved in an event

Our customer's wellbeing and needs are at the forefront of our incident management processes.

We support our customer's and their family, guardian or support persons to be involved in the management and resolution of incidents and investigations to the extent they choose. We support our customers to access an advocate or support person (where relevant).

Depending on the nature of the event, customers and their family or guardian are provided with additional support (where relevant). This may include, but is not limited to

- the opportunity to discuss the incident
- support to access medical appointments
- rehabilitation
- trauma and counselling services
- education
- changes to regular support
- clear, ongoing communication about how we are managing the event or investigation

Where our customers, their family or guardian, support person or advocate is unhappy with the way we have managed any event, they must be supported to access our feedback and complaints processes. Refer to our Feedback and complaints management policy for more information.

Support for employees subject to an investigation

Employees who are the subject of an investigation, including an NDIS reportable incident or DCP care concern, have the right to

- be advised they are the subject of an incident investigation, and about the process that is involved in this
- support throughout the process from a person who has no conflict of interest in the matter
- a competent and objective assessment of the concerns and a prompt resolution
 - employees responsible for managing the investigation will make no assumptions about the validity of the incident until the process is complete and all available information has been considered and assessed
- respond to any allegations relating to the incident
- be kept informed of the progress if any delays are anticipated in finalising the investigation

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- be informed of the outcome
- make a complaint about the process (refer to our Feedback and complaints management policy).
- follow up support and debriefing as required

All employees can access the Employee Assistance Program for free, independent counselling at any time (refer to our Employee assistance procedure for more information).

We will ensure our employees have the opportunity to debrief after an investigation has occurred to ensure they have received appropriate supports. Our employees will also be supported through supervision and additional training as required. Refer to our Staff supervision policy and procedure for more information.

Open disclosure

When an event occurs, we communicate openly with our customers and their families, ensuring that communication with, and support for all affected persons occurs in a supportive and timely manner.

Monitoring, reporting and analysis

Incident, hazard and near-miss data analysis includes the monitoring for and acting on trends identified through the analysis of reports. This analysis supports us to learn from patterns to ensure the safety and wellbeing of our customers, as well as improve the quality of our services and supports.

Incidents, hazards and near-misses are reported on a regular basis through our Committee structure. Teams also have access to incident, hazard and near-miss data, and this is discussed at team meetings. This supports a learning environment and continuous improvement.

Regular analysis of reports assists us to

- understand what is happening in relation to incidents (trends in the volume or type of incidents, key risk areas)
- understand why this is happening (what is driving these events, why are certain types of incidents, services, customers, locations seeing increases or decreases in incidents?)
- inform us as to what we can do to produce better outcomes for customer safety and wellbeing.

Sharing incident, hazard and near-miss reports

Reports must only be shared on a need-to-know basis or as required by external bodies or authorities in accordance with our Privacy policy. When sharing reports, the appropriate consent to sharing of information must be in place. This includes where the report is being shared across Access4u departments, such as sharing with Behaviour Support Practitioners, Support Coordinators, therapists etc.

Reports can be shared with the legal guardian of the customer without the requirement for consent.

Reports must not be shared where there is a requirement to safeguard the integrity of an investigation process.

Before sharing a report, care must be taken to ensure the privacy of other customers is maintained. The full name of other customers must be redacted. First names may be left in the incident report, but last names must be redacted.

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Training and education

All employees must complete incident, hazard and near-miss training on induction and regularly throughout their employment. This includes an understanding of our policies and procedures, how to respond if they are involved in, witness or hear about an event, our IMS, and how to complete effective reports.

Incident, hazard and near-miss events are used as a learning opportunity to support and develop our employees to improve service delivery. This may occur during team meetings, supervision and/or case conferences.