

## **Incident Management Policy & Procedures**

Soul Services WA will promote the health, safety, welfare and well-being of its participants and meet its professional and legal responsibilities by ensuring any incidents are appropriately:

- identified and recorded
- assessed to determine corrective and / or harm minimisation strategies
- investigated where necessary
- followed up in a timely manner and to ensure satisfactory outcomes are achieved
- considered against legislative / funding body requirements / guidelines (including the NDIS Quality and Safeguards Commission: Incident Management Systems) and acted upon / reported as required
- shared where appropriate to assist with quality improvement.

### **What Constitutes a Reportable Incident**

Reportable incidents are particular types of serious incidents that have, or are alleged to have, occurred in connection with the provision of supports and services by registered National Disability Insurance Scheme (NDIS) providers.

NDIS providers must document and report the following incidents to the NDIS Commission:

- 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.
- sexual misconduct committed against, or in the presence of, a person with disability, including grooming of such a person for sexual activity; and
- the use of a restrictive practice in relation to a person with disability that is unauthorised or not in accordance with a behaviour support plan.

***Reporting a serious incident or allegation to the NDIS Commission does not replace your existing obligation to report suspected crimes to the police and other relevant authorities.***

### **The NDIS Commission's Role**

The NDIS Commission provides guidance to build the capacity of NDIS providers to prevent and respond to incidents. However, if a reportable incident raises a serious compliance issue, the NDIS Commission has powers to take action. Action might include:

- requiring the provider to undertake specified remedial action.
- carry out an internal investigation of the incident; or
- engage an independent expert to investigate and report on the incident.

The NDIS Commission can also conduct its own investigation and take appropriate enforcement action such as issuing a compliance notice or asking a court to impose a civil penalty.

## **Incident Management and Reporting Procedures**

### **Responsibilities**

Soul Services WA Directors are responsible to implement this policy and to monitor its performance and ensure that:

- employees have clear guidelines around Reportable Incidents
- the Complaints and Incident Register is maintained
- all Reportable Incidents are reported to the appropriate authorities and followed up if required
- employees are advised of the next steps when reporting a Reportable Incident; and
- employees to complete the Incident Report Form.

### **If Participant incident / injury occurs**

- Respond to immediate needs and re-establish a safe environment. Make sure participant, worker and any others present are safe
- If required, call emergency services to assist, seek medical attention.
- Contact the appropriate emergency contact or 'significant other' (eg parent / spouse / son / guardian) as soon as practicable
- Determine what support the participant and / or their family require and how this can be best delivered. This is to include asking them if they want the support of an advocate
- Consult with the participant and / or their family on how to satisfactorily resolve the issue and what could have been done to prevent it occurring
- Keep the participant informed of progress on the incident
- If the incident could lead to any potential litigation, the Directors will contact Soul Service WA 's professional liability insurer.

### **For all incidents**

- Directors are to be notified of all incidents
- An Incident Report Form is to be completed within 24 hours of the incident. The report must include all necessary factual details, immediate actions that have been taken, any identified / planned follow-up actions, any reports made to other bodies
- Complete an Incident Report Form and a Participant File Note, documenting the Reportable Incident in the client management system.
- Scan and email all documentation to the Directors.
- The incident is recorded in the Soul Services WA Complaints and Incident Register by the Directors.

#### Actions are to include as a minimum

- Providing support to the affected person/s
- Consideration by Directors if the incident is reportable and if police / other agencies should be involved, and actions then taken as appropriate
- When, how and with whom follow-up will occur
- Risk assessment of the incident, including seeking feedback from involved parties e.g. Participant, supports and therapists
- Evaluation / review at the conclusion of the incident to ensure involved parties are satisfied with the outcome
- Consideration of what people / process / policy changes could be made to improve Soul Service WA 's systems

## **How to Notify the NDIS Commission of a Reportable Incident**

### **STEP 1 – Notify the NDIS Commission**

The NDIS Commission providers to notify the Commission of most reportable incidents within 24 hours of becoming aware of it occurring. The Directors will be responsible for this.

The exception is notifying the NDIS Commission of the use of a restrictive practice that is unauthorised or not in accordance with a behaviour support plan. In these instances, the Directors will notify the NDIS Commission within 5 business days of being made aware of the incident. However, if the incident has resulted in harm to a participant it will be reported within 24 hours

To notify the NDIS Commission of a Reportable Incident, the Reportable Incident – Immediate Notification Form will be downloaded, completed and returned to the NDIS Commission directly by the Directors

### **STEP 2 – Submit a detailed report**

A more detailed report about the incident, and actions taken in response, must be submitted within five business days. The Directors are responsible for completing the Reportable Incident – 5-day Notification Form and returning it to the NDIS Commission directly.

### **STEP 3 – Submit a final report, if required**

The NDIS Commission will advise if there is the requirement for a final report. If required, this will be due for completion within 60 business days of submitting the Reportable Incident – 5-day Notification Form.

## **NEXT STEPS**

In all cases, providers must assess:

- the impact the incident has had on the participant.
- whether the incident could have been prevented.
- how the incident was managed; and
- what, if any, changes will prevent future events of a similar nature from occurring.

## **Outcomes**

Outcomes of formal or informal assessments / investigation could include:

- Further training of staff / others involved
- Reviewing and enhancing policies and / or procedures
- Changes to the environment / delivery mode for support services
- Participant (and / or his/her family) and Provider agree to accept the risks inherent in support delivery to achieve goals

## **Follow-Up / Review**

- Actions will be monitored by the Director and updates on progress will be added to the register until the incident is satisfactorily concluded
- The Directors will review the management of all incidents
- Incident reports and all related documents are to be kept for 7 years.

## **What Employees Need to Know**

All employees must comply with Soul Services WA's incident management process and be aware of their roles and responsibilities in identifying, managing and resolving incidents and in preventing incidents from reoccurring.

All employees are able to make a complaint on behalf of a person with disability to the NDIS Commission and should recognise that they are supported by the Directors to report all incidents.

### **Training Workers on Incident Management**

All staff will receive initial and refresher training on Incident Management.

### **Outcomes**

- Risks will be identified and managed to eliminate or minimise any adverse event
- The impact of any incident will be minimised
- Clients / other stakeholders will be satisfied with the outcome of the management of risks and incidents
- Involved Workers are aware and accepting of the outcome of the management of risks and incidents
- There will be minimal reoccurrence of incidents
- Soul Services WA 's Directors will be aware of risks and incidents and the actions taken to manage these events

## Objectives of the NDIS Commission approach to incident management







Incidents offer NDIS providers an opportunity to review their operational practices to improve the quality and delivery of supports and services to NDIS people with disability and prevent future harm.

Registered NDIS providers must establish incident management arrangements to enable the identification of systemic issues and drive improvements in the quality of supports they deliver.

Effective incident management is underpinned by key principles. The principles are outlined in Figure 2: Principles of good incident management and resolution below.

## Principles of good incident management and resolution

*Figure 2: Principles of good incident management and resolution*

Principle	Description
 <b>Centred on people with disability</b>	Management of an incident is respectful of, and responsive to, a person with disability's preferences, needs and values while supporting the person's safety and wellbeing.
 <b>Outcome focussed</b>	Management of an incident should reveal the factors which contributed to the incident occurring, and seek to prevent incidents from reoccurring.
 <b>Clear, simple and consistent</b>	The process for dealing with incidents is easy to understand, accessible and consistently applied.
 <b>Accountable</b>	Providers are responsible for appropriately managing the response to incidents. Everyone involved in the management of an incident understands their role and responsibilities, and will be accountable for decisions or actions taken in regard to an incident.
 <b>Continual improvement</b>	The incident management process facilitates the ongoing identification of issues and implementation of changes to improve the quality and safety of NDIS supports and services.
 <b>Proportionate</b>	The nature of any investigation or actions following an incident will be proportionate to the harm caused and any risk of future harm to a person with disability.

### Related Documents:

- Incident Register
- Risk Assessment Form
- Incident Report Form
- Complaint Management Policy and Procedure
- Dignity of Risk and Duty of Care Policy
- Welcome Pack