

<b>Q325</b>	<b>INCIDENT MANAGEMENT POLICY</b>
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<b>Policy context:</b> This policy relates to	
Legislation or other requirements	NDIS Incident Management and Reportable Incidents Rules 2018 National Disability Insurance Scheme Act 2013
Contractual obligations	

## **POLICY STATEMENT**

Enhanced Lifestyles (EL) and Lifestyle Assistance and Accommodation Service (LAAS) as a registered NDIS Service Provider is committed to following the instructions laid out in the NDIS Incident Management and Reportable Incidents Rules 2018 for the management of incidents that may occur during service provision. EL/LAAS has also put in place procedures to ensure reportable incidents are identified correctly and reported to the NDIS Commission in the timeframe required.

All incidents involving Customers/Clients who are NDIS participants shall be managed as per this policy and the Incident Management System, as will all Customers/Clients on Continuity of Support.

The document complies with NDIS 2018, standard 2.6 Incident Management, 1.5 Violence, Abuse, Neglect, Exploitation and Discrimination and ASIC 2018, section 1.5 Discrimination, Abuse and Neglect, 2.2 Risk Management, 4.1 Safe Support and Service Environment.

This document is readily available to all Customers/Clients and employees of EL/LAAS including The Boards.

### **Incident Management System**

EL/LAAS maintains an Incident Management System in compliance with legislative requirements that are documented here, and in the associated procedure and supporting documents.

The Incident Management System must record all incidents that consist of:

- Any acts, omissions, events or circumstances that occur in connection with the provision of supports or services to a Customer/Client and have or could have caused harm to the Customer/Client.
- Acts by the Customer/Client that occur in connection with the provision of supports or services that have caused serious harm, or a risk of serious harm to another person.

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- Reportable incidents that are alleged to have occurred in connection with providing supports or services to a Customer/Client.

EL/LAAS will endeavour to treat all parties with procedural fairness when managing an incident. Any decisions made by EL/LAAS must be done so without bias, be based in evidence that is logically capable of supporting the facts and allow parties that may be negatively affected to have their response taking into consideration.

All incidents must be assessed in relation to the following, with the assessment considering the views of the Customer/Client affected by the incident:

- What supports the customer/staff member/family members might require as a result of the incident
- Whether the incident could have been prevented
- How well the incident was managed and resolved
- What actions need to be undertaken to prevent similar incident from occurring, or minimize the impact
- Whether other persons or organisational bodies need to be notified of the incident

As a registered NDIS provider EL/LAAS has documented its Incident Management System and provided copies of the documented system, in accessible form and with assistance to understand how the system functions, to Customers/Clients, employees, family members, carers, independent advocates, significant others of the Customer/Client and members of the Boards.

### **Incident Records**

Incidents will be recorded within the CiMSability Client Information Management System. The following is the minimum information required to be recorded for an incident:

- A description of the incident including the impact or harm caused to any person with disability affected by the incident
- The time, date and location the incident occurred, if known
- Otherwise, the time and date the incident was first identified
- The names and contact details of the people involved
- The names and contact details of any witnesses
- Whether the incident is a reportable incident
- Details of the assessment undertaken to determine whether the incident is reportable or not
- The actions taken in response to the incident, including actions taken to support or assist people with disability affected

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- Any consultations undertaken with the persons with disability affected
- Whether persons with disability affected by the incident have been provided with any reports or findings regarding the incident
- If an investigation is undertaken, then the details and outcomes of the investigation
- The name and contact details of the person making the record of the incident

The Incident Management System must also provide for the collection of statistical and other information relating to incidents to allow the review of issues raised by the occurrence of incidents to identify and address systemic issues.

### **Employee Roles and Responsibilities**

The roles and responsibilities of EL/LAAS employees is outlined in the associated Incident Management Register of Responsibilities.

Each employee must comply with the Incident Management System and is required to have received training in how to enact the expected responsibilities of their position and follow the system.

### **Reportable Incidents**

A reportable incident is the following:

- 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, or assault of a person with disability
- Sexual misconduct committed against, or in the presence of a person with disability, including grooming of the person for sexual activity
- The use of a restrictive practice in relation to a person with disability, other than where the use is in accordance with an authorization of a State or Territory in relation to the person.

Reportable Incidents also include alleged Reportable Incidents.

Reportable Incidents must be notified to the NDIS Commission and key personnel who are responsible for Reportable Incidents must take all reasonable steps to ensure these incidents are reported.

It is the duty of all employees of EL/LAAS to notify the key personnel when they become aware that a Reportable Incident has occurred in connection with the provision of supports/services.

In most occurrences of Reportable Incidents, the NDIS Commission must be notified of

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Reportable Incidents within 24 hours of EL/LAAS being made aware of the incident, as detailed below. However for some Reportable Incident types a more lenient 5 days from being made aware of the incident will apply.

### **24 Hour Notification**

EL/LAAS must notify the NDIS Commission within 24 hours of becoming aware of the following types of Reportable Incidents:

- The death of a person with disability
- The serious injury of a person with disability
- The abuse or neglect of a person with disability
- The 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 the person for sexual activity

The NDIS Commission requires the following information be provided:

- The name and contact details of the NDIS provider
- A description of the reportable incident
- An excerpt of the description of the impact on, or harm caused to the person with disability
- The immediate actions taken in response to the incident including actions taken to ensure the health, safety and wellbeing of the person with disability, and whether the incident has been reported to police or any other body
- The name and contact details of the person making the notification
- If known the time and place at which the incident occurred
- Names and contact details of the persons involved in the incident
- Any other information requested by the NDIS Commission

EL/LAAS is required to notify the NDIS Commission of the names and contact details of any witnesses to the incident as well as any further actions proposed to be taking in response to the incident within 5 business days.

EL/LAAS must notify the NDIS Commission of significant new information about a Reportable Incident as soon as reasonably possible after becoming aware of the information if the information relates to a change in the kind of Reportable Incident or is a further Reportable Incident.

### **Communication**

EL/LAAS has developed strategies to inform its Customers/Clients about its Incident Management process and any changes or updates to the process. This will be during

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intake for new customers or through the newsletter, email, mail, or other communication methods for existing Customers/Clients. EL/LAAS will review the effectiveness of its strategies as part of its Customer Satisfaction Audit.

When an incident is reported the involved Customers/Clients will be sent a copy of this policy to support them in understanding the process for managing and resolving incidents.

The Customer/Client and involved employees will be consulted and their views will be taken into consideration upon:

- Whether the incident could have been prevented
- How well the incident was managed and resolved
- What actions need to be taken to prevent similar incident from occurring, or minimise the impact
- Whether other persons or bodies need to be notified of the incident
- What supports they might require as a result of being involved in that incident.

### **Record Keeping**

Records made by the Incident Management System must be kept for 7 years.

### **DOCUMENTATION**

<b>Documents related to this policy</b>	
Related policies	P325 – Incident Management Procedure Q104A – Mandatory Reporting Incidents Guideline Q400 – WHS Policy P001 – WHS Feedback Procedure
Forms, record keeping or other organisational documents	M400 – WHS Manual QF106 – WHS Incident Report