



Incident Reporting and Investigation Policy & Procedure

Purpose

Skilled Health has developed, implemented and maintains a system to manage and resolve incidents including those that consist of acts, omissions, events or circumstances that occur in connection with providing supports or services to a person with disability; and have, or could have, caused harm to the person with disability. Our incident management system also covers incidents that consist of acts by a person with disability that occur in connection with providing supports or services to the person with disability; and have caused serious harm, or a risk of serious harm, to another person. Skilled Health's incident management system additionally addresses reportable incidents that are alleged to have occurred in connection with providing supports or services to a person with disability.

In Skilled Health's view, an incident can result in, or have the potential to result in harm, injury, illness, damage, or loss; and the term 'incident' also includes accidents and near misses.

Incidents should be reported and investigated as soon as practical after the event to prevent re-occurrences. The aim of incident investigation is to identify deficiencies or areas for improvement and to prevent further incidents. Incident investigations will be conducted based on the principles of procedural fairness; they are **NOT** about apportioning blame, more so identifying opportunities for improvement.

Skilled Health Incident Management System

The Skilled Health incident management system seeks to identify, manage and resolve all incidents and incorporates how incidents are identified, recorded and reported; to whom incidents must be reported; the person who is responsible for reporting incidents that are reportable incidents to the Commissioner; how Skilled Health provides support and assistance to persons with disability affected by an incident (including information about access to advocates such as independent advocates), to ensure their health, safety and wellbeing; how persons with disability affected by an incident will be involved in the management and resolution of the incident; when an investigation by the registered NDIS provider is required to establish the causes of a particular incident, its effect and any operational issues that may have contributed to the incident occurring, and the nature of that investigation; and when corrective action is required and the nature of that action.

Depending on the seriousness of the incident, the procedures within the incident management system may vary, however, the core system procedures still apply. The Skilled Health incident management system requires all incidents to be assessed (considering the views of persons with disability affected by the incident) to

identify whether the incident could have been prevented; how well the incident was managed and resolved; what, if any, remedial action needs to be undertaken to prevent further similar incidents from occurring, or to minimise their impact; and whether other persons or bodies need to be notified of the incident. If the incident is a reportable incident, in accordance with requirements under relevant Commonwealth, State or Territory laws, Skilled Health will manage and refer or notify to any other bodies (including the NDIS Commissioner) any reportable incidents, as necessary.

As with all our policies and procedures, Skilled Health's incident management system is periodically reviewed at least every year (or if/when a change occurs) to ensure its effectiveness and continued procedural fairness - a key element of the system to ensure fairness in the procedure by which a decision is made.

Skilled Health's incident management system is made available to all our clients and interested parties via the Skilled Health website or in a hardcopy printed format. Should further clarification or assistance in understanding how our incident management system operates be required, anyone is welcome to contact us directly to discuss either in person, on (02) 9734 9000 or via our website.

All incidents reported to Skilled Health are recorded and retained for a minimum of 7 years (from the day that notification of the incident is given), within the Skilled Safe system. This includes capturing (where appropriate) a description of the incident, including the impact on, or harm caused to, any person with disability affected by the incident; whether the incident is a reportable incident; the time, date and place at which the incident occurred (if known), or the time and date the incident was first identified; the names and contact details of the persons involved in the incident; the names and contact details of any witnesses to the incident; details of the assessment undertaken (whether the incident could have been prevented, how well the incident was managed and resolved, what, if any, remedial action needs to be undertaken to prevent further similar incidents from occurring, or to minimise their impact, and whether other persons or bodies need to be notified of the incident); the actions taken in response to the incident, including actions taken to ensure the person's health, safety and wellbeing and additional support or assistance provided to persons with disability affected by the incident; any consultations undertaken with the persons with disability affected by the incident; whether persons with disability affected by the incident have been provided with any reports or findings regarding the incident; the details and outcomes of the investigation; and the name and contact details of the person making the record of the incident. This same process applies for reportable incidents that are alleged to have occurred.

As part of our quality assurance processes, statistical data and other information relating to incidents is used to review issues raised by the occurrence of incidents; for Skilled Health's continuous improvement and development by identifying and addressing systemic issues; and to report information relating to incidents to the Commissioner, if requested to do so by the Commissioner.

Overall responsibility for Skilled Health's incident management system, the identification, management and resolution of incidents and prevention of incidents from occurring sits with the Director of Skilled Health, who will report any reportable (and alleged reportable) incidents to the Commissioner. However, all Skilled Health workers or persons otherwise engaged by Skilled Health equally have a responsibility and must comply with this policy and procedure and Skilled Health's incident management system, including the

reporting, management and resolution of any incidents made to Skilled Health. Workers, visitors, and clients (their advocates and other representatives) are encouraged to report any incidents or alleged reportable incident, ensuring the appropriate Manager or Director are informed as soon as possible.

Each Skilled Health worker or persons otherwise engaged by Skilled Health are trained in the use of, and compliance with this and other compulsory Skilled Health policies, procedures, and systems during their induction. As part of our open-door culture, any person who requires further support or clarification regarding any of the Skilled Health policies, procedures and systems is welcome to discuss with a member of the Management Team.

Reportable Incidents

Certain incidents that happen, or are alleged to have happened, in connection with the provision of supports or services by registered NDIS providers are known as **reportable incidents**. These incidents include the death, serious injury, 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 the person for sexual activity; and the use of a restrictive practice in relation to a person with disability, other than where the use is in accordance with an authorisation (however described) of a State or Territory in relation to a behaviour support plan for the person with disability.

All Skilled Health workers or persons otherwise engaged by Skilled Health has a duty to notify the Skilled Health Director of a reportable (or alleged reportable) incident in connection with the provision of supports or services by Skilled Health as soon as possible. In accordance with requirements under relevant Commonwealth, State or Territory laws, the Skilled Health Director notify to any other bodies (including the NDIS Commissioner) any reportable (and alleged reportable) incidents, as necessary.

Where a reportable incident has (or is alleged to have) occurred in connection with the provision of supports or services by Skilled Health, the Skilled Health Director will notify the Commissioner within 24 hours, advising the details gathered as part of the Skilled Health incident management system (as stated above), along with any other information required by the Commissioner. Any information not available at the time of notification to the Commissioner will be made available as soon as possible thereafter. The Skilled Health Director will then keep the Commissioner updated in relation to any significant new information in relation to the incident as soon as reasonably practicable after becoming aware of the information.

A final report including details of any internal or external investigation or assessment that has been undertaken in relation to the incident will be provided to the Commissioner within 60 business days after the notification is given. The report will include the name and position of the person who undertook the investigation; when the investigation was undertaken; details of any findings made; details of any corrective or other action taken after the investigation; a copy of any report of the investigation or assessment; information on whether persons with disability affected by the incident (or their representative) have been kept informed of the progress, findings and actions relating to the investigation or assessment; and any other information required by the Commissioner.

Per Skilled Health's incident management system, records of all incidents (including reportable and alleged reportable incidents) are kept and maintained for a minimum of 7 years (from the day that notification of the reportable incident is given).

Procedures

All workers, clients and visitors are required to report all incidents (including near misses and whether or not medical treatment is required), and where necessary support the investigation process. This will enable Skilled Health to conduct an investigation to establish causes, identify contributing factors and implement strategies to prevent a recurrence. An incident may be identified through a variety of means including directly witnessing an incident or near miss, being told about an alleged incident (for example by a client or their representative) or noticing a change that presents a potential new risk of an incident.

Skilled Health's incident reporting and investigation process is as follows:

- Incident report forms are to be completed within 24 hours of incident via Skilled Safe.
- Ensure that the relevant statutory authorities (for example iCare, SafeWork NSW, NDIS Quality and Safeguards Commission) are informed of all notifiable/reportable incidents under the WHS legislation and the National Disability Insurance Scheme Act.
- Notify the Workers Compensation Insurer, particularly for any potential workers compensation claims.
- Investigations for all incidents are to be undertaken as soon as reasonably practicable, include all relevant parties/affected persons as appropriate, and capture recommendations approved by Management to prevent a re-occurrence.
- Investigations should consider whether the incident could have been prevented; how well the incident was managed and resolved; what, if any, remedial action needs to be undertaken to prevent further similar incidents from occurring, or to minimise their impact; whether other persons or bodies need to be notified of the incident.
- Corrective actions issued by Management to a nominated person are followed up via Skilled Safe prompts and reminders.
- Actions must be completed and noted via Skilled Safe.

For any incidents that occur externally e.g. at a host organisation's location, Skilled Health will request copies of external investigation reports and also conduct their own investigation into the incident.



Theresa Tran (Director)

Date: 11/06/2020



Jane Le (Employee)

Date: 11/06/2020