

# Incident Management Policy

## 1. Purpose

This policy defines incidents including serious incidents and incidents which are reportable to the NDIS Quality and Safeguards Commission (NDIS Commission).

The ICH Incident Management Procedure must also be referred to for guidance on internal processes when responding and managing an incident.

## 2. Scope

This policy applies to all ICH NDIS representatives including key management personnel, Directors, full time workers, part time workers, casual workers, contractors, volunteers, students. For the purpose of this policy, these persons shall be referred to as workers.

## 3. Definition

An incident is broadly defined as:

- Any event or circumstance that resulted, or could have resulted, in unintended and/or unnecessary harm to a person, or loss or damage to property
- A near miss which did not cause harm, but had the potential to do so
- A medication error involving a preventable event that may cause or lead to inappropriate medication use or harm to a participant while being supported
- Any event which deviates from standard policy or procedure
- Anything illegal (e.g. assault, sexual misconduct, fraud).

Reportable incidents that involve the following must be reported to the NDIS commissioner:

- The death of a participant while being supported serious injury of a participant while being supported abuse or neglect of a participant while being supported
- Unlawful sexual or physical contact with, or assault of, a participant while being supported
- Sexual misconduct committed against, or in the presence of, a participant while being supported, including grooming of the person for sexual activity
- Use of a restrictive practice in relation to a person with disability where the use is not in accordance with an authorisation (however described) of a state or territory in relation to the person, or if it is used according to that authorisation but not in accordance with a behaviour support plan for the person with disability.

Any other type of serious incident, not listed above, must be reported to the NDIS commissioner within five business days.

## 4. Policy

### 4.1 Our commitment

As part of incident management responsibilities:

- We are committed to ensure the rights of people with disability are upheld and supported
- We aim to provide a high standard of duty of care and to ensure the safety and well-being of each participant using our services, our employees and members of our community
- We will foster a culture of continuous improvement with a proactive approach to preventing incidents
- If an incident occurs, we will promptly and appropriately respond to the incident in an equitable, objective and fair manner
- We will record all incidents, report (if required) and investigate (if required)
- We will ensure the principles of procedural fairness are maintained by providing those affected an opportunity to give their side of the story and to comment on any adverse views
- We will maintain an incident management system to aid in recording, managing and resolving incidents the incident management policy and process is accessible to workers
- The incident management policy and process is provided to participants and stakeholders via email or hard copy during on-boarding and at any time by request.

### 4.2 Organisational responsibilities when responding to incidents

When responding to an incident, it is the organisation's responsibility to:

- Immediately respond to an incident to ensure the safety and wellbeing of participants and others at risk report to police (if appropriate)
- Notify the NDIS Commission of reportable incidents within 24 hours of becoming aware of the incident
- Contact relevant support services e.g. sexual assault support services (if appropriate)
- Preserve evidence of the incident
- Notify relevant next of kin, family or guardian (as appropriate)
- Plan and undertake actions to provide ongoing support to those affected by the incident document key actions undertaken in an internal incident report
- Record incidents in an internal incident register.

### 4.3 Reportable incidents

When a reportable incident occurs, or is alleged to have occurred in connection with the NDIS supports or services you deliver, ICH must notify the NDIS Commission using the NDIS Commission Portal within the required timeframes (set out below). The timeframes are calculated from when a registered NDIS provider became aware that the incident occurred, or was alleged to have occurred.

Reportable incident	Required timeframe
death of a person with disability	24 hours
serious injury of a person with disability	24 hours
abuse or neglect of a person with disability	24 hours
unlawful sexual or physical contact with, or assault of, a person with disability	24 hours
sexual misconduct committed against, or in the presence of, a person with disability, including grooming of the person for sexual activity	24 hours
the use of a restrictive practice in relation to a person with disability if the use is not in accordance with a required state or territory authorisation and/or not in accordance with a behaviour support plan.	Five business days

Other incidents may require reporting to other agencies, for example:

- Data breach or breach of personal information (OAIC)
- Injury or death of a worker while on duty (local state or territory WHS authority).

Any incident involving crimes such as assault, theft and fraud must be reported to police.

### 4.4 Record keeping

Records of incidents must be kept for a minimum of 7 years from the date of the incident.

### 4.5 Responsibilities of workers

Worker responsibilities include:

- Resolving incidents
- Recording incidents
- Escalating incidents they can't resolve to key management personnel
- Escalating serious incidents to key management personnel.

#### 4.6 Responsibilities of key management personnel

Key management personnel are to:

- Ensure workers have the necessary skills to manage incidents
- Record serious incidents
- Manage escalated incidents and serious incidents
- Report serious incidents to the NDIS Commission
- Respond to any media enquiries (where appropriate)
- Investigate incidents or arrange an external investigator to investigate
- review incidents and initiate improvements

#### 5. Review

This policy remains in effect unless otherwise determined by resolution of the Board of Directors.

This policy will be reviewed every two years or sooner as required.

#### 6. Related Documents

##### **Policies**

ICH Incident Management Procedure

##### **References**

CentroAssist Policy Portal

NDIS (Quality Indicators) Guidelines (Cth)

National Disability Insurance Scheme Act (Cth)

Crimes Act 1914 (Cth)

NDIS (Incident Management and Reportable Incidents) Rules 2018 (Cth)