



Policy and Procedure

Incident and Accident Reporting and Management

POLICY STATEMENT

This policy is intended to provide guidance on the reporting and investigation of incidents, accidents and near misses involving the Continenence Foundation of Australia (“the Foundation”) employees (paid and volunteers), any person visiting the organisation and any person with a disability or consumer receiving clinical services from the Foundation. All incidents and accidents will be documented, reviewed, analysed and acted upon in a timely manner.

This policy should be read in conjunction with **WHSP01 Work Health and Safety**.

SCOPE

All Foundation employees, anyone visiting the Foundation’s workplaces and/or people with a disability or consumers receiving clinical services via the Foundation.

PRINICIPLES

- Any incident or accident, including reportable incidents, which:
 - did cause harm; or
 - could have caused harm; or
 - acts by a person with a disability or consumer which caused serious harm or be at risk of harm to another person;

and that occurred in relation to:

- providing National Disability Insurance Scheme (NDIS) support or clinical service to a person with a disability or a consumer; or
- workplace events involving any of the Foundation’s employees or visitors to the organisation’s workplaces

should be recorded, reported and managed appropriately.

- All incidents should be promptly identified, assessed, recorded, managed, resolved and reviewed to minimise the impact and allow the Foundation to take corrective action in order to prevent the reoccurrence of such incidents or accidents.
- No incident or accident will be considered too insignificant to report, as the Foundation is committed to fostering a culture of safety within the workplace and via its clinical services.
- All employees are to be inducted in the incident and accident reporting procedure requirements on commencement of employment, with annual refresher training.

DEFINITIONS

NDIS defined incident and reportable incidents

Incident - an act, omission, event or circumstance.

It may mean any of the following:

- Acts, omissions, events or circumstances that occur in connection with providing NDIS supports or clinical services to a person with disability or consumer, or in relation to employees or visitors to the Foundation’s workplaces and have, or could have, caused harm to the person with disability or consumer
- Acts by a person with disability or consumer that occur in connection with providing NDIS supports or clinical services to that person which have caused serious harm, or a risk of serious harm, to another person



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Reportable incidents - serious incidents or alleged incidents which result in harm to an NDIS participant or consumer and occur in connection with NDIS supports and clinical services. Specific types of reportable incidents include:

- Death
- Serious injury
- Abuse or neglect
- Unlawful sexual or physical contact with, or assault of a person with a disability or consumer (excluding, in the case of unlawful physical assault, contact with, and impact on, the person that is negligible).
- Sexual misconduct committed against, or in the presence of, a person with disability or consumer, including grooming of the person for sexual activity.
- The use of a restrictive practice in relation to a person with disability or consumer, other than where the use is in accordance with an authorisation (however described) of a State or Territory in relation to the person or a behaviour support plan for the person

The reportable incident can occur in various settings that are connected or related to the service being delivered to the person with a disability or consumer including their place of residence, the clinical setting of the Foundation and the community.

Worksafe defined reportable incidents:

Worksafe is to be notified if an incident or accident causes:

- The death of any person
- Person requiring medical treatment within 48 hours of exposure to a substance
- Person requiring immediate treatment as an in-patient in a hospital
- Person requiring immediate medical treatment for:
 - the amputation of any part of his or her body
 - a serious head injury
 - a serious eye injury
 - the separation of his or her skin from underlying tissue (such as de-gloving or scalping)
- Electric shock
- A spinal injury
- The loss of a bodily function or
- Serious lacerations

PROCEDURE

All incidents and accidents that happen in the delivery of NDIS supports and clinical services or in workplace settings will be:

1. Identification and Assessment

- If there is an immediate risk of injury or accident from a hazard, an employee shall act to make the area



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safe, ensuring their own safety is not jeopardised, and immediately report the hazard to their relevant manager or their Work Health and Safety (WHS) Representative

- Any incident or accident that involves a person with a disability, consumer or their representative whilst receiving clinical services from the Foundation, which is observed by a employees or of which a employees is informed, must be reported immediately or as soon as possible to the relevant manager via the employee(s) involved
- Any incident or accident involving an employee or visitor to the Foundation which prevents them from continuing to work must be reported immediately or as soon as possible to the relevant manager and their WHS representative
- Any incident or accident that requires first aid must be attended immediately by the relevant First Aid Officer if it occurs within the Foundation's workplaces
- Any incident or accident that requires urgent medical review must have an ambulance called via '000' with the consent of the person involved or their representative as directed by the First Aid Officer, relevant manager or relevant employees
- Any incident or accident that requires police involvement or emergency services (other than an ambulance/paramedic), eg for a criminal offences such as sexual misconduct, must be attended immediately by calling '000' by the relevant manager or relevant employees
- The relevant manager involved will notify any relevant guardians, next-of-kin, family members or carers
- There is a duty to preserve an incident site/setting. The person with management or control of a workplace or setting at which a reportable incident has occurred must ensure, so far as reasonably practicable, that the site where the incident occurred is not disturbed until an inspector, police or relevant manager arrives at the site or any earlier time as directed by the inspector, police or relevant manager. This does not however prevent any action to assist an injured person, to remove a deceased person and what is essential to make the site safe or to minimise the risk of a further reportable incidents

2. Recording

- If a person with a disability, a consumer or their representative is affected, the employees who witnessed the incident or is first on the scene must complete **WHSF03 Accident/Incident Report Form** with input from any relevant employees involved including a detailed description of the incident or accident. This must be forwarded to the relevant manager as soon as possible, but within 12 hours of the occurrence
- If a Foundation employee is affected, they must complete an Incident and Accident Recording Form and forward to the relevant manager and their WHS Representative as soon as practicable, but within 12 hours of the occurrence if at all possible
- All actions, investigations and corrective actions undertaken must documented on the Incident and Accident Recording Form and added to the **WHSR01 Complaints/Accident/Incident Register** for review by the Quality and Clinical Governance Committee to look for improvement possibilities
- All documentation on the reporting, investigation and general correspondence related to the incident or accident will be securely filed
- Document control requirements are that Incident and Accident Recording Forms are to be kept for a minimum of 5 years



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3. Investigation, Management and Resolution

- The relevant manager will contact the affected parties (including their representative) within 24 hours and as required, of the incident or accident to check on their progress and to see if any support is required from the Foundation
- The relevant manager and/or WHS Representative will respond to the employees involved on receiving the Recording Form within 24 hours and will advise of appropriate actions to be taken
- The relevant manager will investigate the incident or accident within 5 working days, as appropriate, to determine the cause, its effect and whether further action is required to prevent or decrease the risk of the incident or accident reoccurring
- Utilising OH&S legislation's 'hierarchy of controls' (<https://www.worksafe.vic.gov.au/hierarchy-control>), corrective actions and continuous improvement measures will be identified and implemented to prevent a reoccurrence
- Details of any investigations conducted to establish the causes and/or root causes of a particular incident or accident, its effect and any operational issues that may have contributed to the incident occurring, and the nature of that investigation will be documented and corrective actions implemented
- Input and feedback will be sought from the person affected by the incident or accident to aid management and resolution as part of the control and continuous improvement measures including views on how the incident or accident could have been prevented
- At any stage of the investigation process, the affected person can get support from an independent advocate
- The affected persons and anyone involved will be offered an opportunity to debrief over the incident or accident with the relevant manager using trauma-informed care as appropriate
- Where the incident or accident involves an employee, access to an employee assistance program will be made available and encouraged via the Foundation's Human Resource Service Provider, Workplace Wizards, who are the Employee Assistance Coordinators – hr@continenence.org.au as appropriate
- Corrective actions and continuous improvement measures are to be documented on the Complaints, Incidents and Accidents Register and reviewed by the Quality and Clinical Governance Committee.

4. Review

- All incidents or accident will be reviewed by the relevant manager
- Any incident or accident affecting employees will be reviewed by their WHS representative
- Any incident or accident affecting a person with a disability, consumer or their representative will be reviewed by the Quality and Clinical Governance Committee
- At least twice a year the Clinical Services Manager will analyse incident and accident data on the Complaints, Incidents and Accidents Register to determine any issues or trends in practice, procedures or policies that need to be amended to better safeguard people accessing services and improve services and report these to the Quality and Clinical Governance Committee



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5. Reporting and Notification

Any reportable incident or accident (as defined in 'Definitions') requires:

- The CEO to be immediately notified
- If related to the provision of NDIS clinical services – NDIS Commission to be notified within 24 hours of by the relevant manager using an **Immediate Notification Form** via the NDIS Commission Portal (<https://www.ndiscommission.gov.au/document/1516>). Information on any internal or external investigation or assessment that has been undertaken should be provided within 5 business days via a **Five Day Notification Form** via the 'My Reportable Incidents' portal. An investigation and/or final report on the incident is provided within 60 days via the NDIS Commission portal upon receipt of an instructional email from the NDIS Commission. Any corrective and restorative measures made by the NDIS Commission will be follow/implemented. See: <https://www.ndiscommission.gov.au/providers/how-notify>. If further significant new information related to a reportable incident becomes known or available, then this is email to the NDIS Commission via reportbleincidents@ndiscommission.gov.au as soon as possible
- If related to the provision of non-NDIS related clinical services – the relevant body (i.e. State Department of Health) to be immediately notified by the relevant manager
- If related to an employee – Worksafe to be immediately notified by the relevant manager and/or their WHS representative – to determine whether an investigation will proceed. In the event of a Worksafe investigation, the relevant manager, with the support of the senior management team will participate/assist in the investigation process

Roles and Responsibilities

Employees will:

- Participate in the investigation and review of incidents or accidents as required
- Participate in the implementation of recommendations arising from any investigation
- Encourage colleagues to identify and notify management of any incidents or accidents identified

Management will:

- Implement actions/controls required to prevent re-occurrence of the incident or accident
- Ensure that recommendations derived from incident or accident investigations are appropriately addressed and their effectiveness is evaluated
- Ensure feedback on recommendations of incident or accident reviews are provided to those reporting the incident or accident and those involved in the management or investigation of the incident

Key Contacts

Questions about how to implement this procedure should be directed to the Clinical Services Manager on info@continenence.org.au or 03 8692 8400

RELATED LEGISTATION AND POLICY

- National Disability Insurance Scheme Act 2013: 73Z, 73F and 73F
- NDIS (Incident Management and Reportable Incident) Rules 2018 s 16
- National Standards for Disability Services



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- Foundation Policy WHSP01 Work Health & Safety
- Occupational Health and Safety Act 2004
- Information Privacy Act 2000
- Privacy Act 1988 and Privacy Amendment (Private Sector) Act 2000
- Fair Work act 2009
- Risk Management Standard (AS/NZS ISO 31000:2009); www.worksafe.vic.gov.au

RELATED POLICIES AND PROCEDURES

- WHSF03 Accident/Incident Report Form
- WHSF02 Hazard Report Form
- WHSR01 Complaints/Accident/Incident Register
- GP011 Elimination of Violence, Abuse, Neglect, Exploitation, Discrimination, and Restrictive Practices Policy and Procedure
- WHSP01 Work Health and Safety Policy
- GP009 Quality and Clinical Governance Policy and Procedure
- Quality and Clinical Governance Framework

REFERENCES AND RESOURCES:

- NDIS Quality and Safeguards (2019) Commission Incident Management Systems - Detailed Guidance for Registered NDIS Providers. June 2019
- NDIS Quality and Safeguards (2019) Reportable incidents – Detailed Guidance for Registered NDIS Providers. June 2019
- NDIS Quality and Safeguards - Reportable incident – Immediate notification - <https://www.ndiscommission.gov.au/document/1516>
- NDIS Quality and Safeguards Commission - <https://www.ndiscommission.gov.au/>
- Trauma-informed Care - <https://www.health.nsw.gov.au/mentalhealth/psychosocial/principles/Pages/trauma-informed.aspx>
- Worksafe Victoria – The hierarchy of control: <https://www.worksafe.vic.gov.au/hierarchy-control>