## Serious Incident Management

Launceston Volunteers for Community incident management system is consumer-centred, and focuses on the health, safety, wellbeing and quality of life of consumers and anyone affected by an incident. Following an incident, Launceston Volunteers for Community investigation and resolution processes are outcomes-focused and conducted in line with the principles of Open Disclosure.

Launceston Volunteers for Community is committed to ensuring that all incidents and near misses which occur in relation to the provision of services are managed consistently and effectively, and that workers can identify, manage, report and resolve incidents.

The organisation collects and reviews data on incidents in order to inform improvement activities.

Launceston Volunteers for Community regularly reviews its incident management system and processes to ensure that they are:

* Well documented;
* Readily accessible to all workers employed or engaged by the organisation;
* Reflective and adaptive, with an intent to prevent incidents; and
* Compliant with the Serious Incident Response Scheme.

**Definitions**

**Commission:** refers to the Aged Care Quality and Safety Commission.

**Incidents:** areacts, omissions, events or circumstances that occur or could occur during or in connection with the provision of care and services, or the alteration or withdrawal of care and services, that cause harm, either physically or emotionally, to a worker, consumer, or other stakeholder. Incidents also include acts, omissions, events or circumstances that have caused or could cause damage to property, the environment, material or cause public alarm.

**In connection with the provision of care and services:** includes incidents which have occurred during the course of providing care and services, or due to the provision of care and services. It includes incidents which occur from a failure to provider care and services.

**Reportable Incidents:** are alleged, suspected or actual incidents which have occurred in connection with service delivery, where the person affected by the incident is a consumer, of severity that must be reported to the Commission. This includes but is not limited to:

* Unexpected death;
* Unreasonable use of force;
* Psychological or emotional abuse;
* Neglect;
* Unlawful sexual contact or inappropriate sexual conduct;
* Stealing or financial coercion by a staff member;
* Inappropriate use of restrictive practices; and
* Missing consumers

**Priority 1 incidents:** are Reportable Incidents of a higher level of harm than Priority 2 incidents and must be reported to the Commission within a more immediate timeframe. Priority 1 incidents include:

* Incidents that caused, or could reasonably have been expected to have caused, a consumer physical or psychological injury or discomfort requiring medical or psychological treatment to resolve;
* Incidents where there are reasonable grounds to report the incident to police;
* Unlawful sexual contact or inappropriate sexual conduct inflicted on a consumer;,
* A consumer’s unexpected death; or

Where a consumer goes missing in the course of provision of home services. All ‘Priority 1’ incidents must be reported to the Commission **within 24 hours**.

**Priority 2 incidents:** are Reportable Incidents which are not Priority 1 incidents, and which result in a lower level of harm to a consumer.

Priority 2 incidents must be reported to the Commission **within 30 days**.

**Workers:** arestaff, contractors and volunteers employed or engaged byLaunceston Volunteers for Community

**Procedures**

**Induction and staff training**

All workers must be familiar with the organisation’s incident management system, understand the organisation’s definition of Reportable Incidents, Priority 1 and Priority 2 incidents, and understand the procedures they must follow for reporting all incidents to the organisation and the Commission (if required).
Launceston Volunteers for Community promotes a culture of open reporting and ensures that all workers understand that they are supported to report any incident or alleged incident, and that there will be no negative consequences for doing so.

**Incident identification**

If a worker observes an incident, or a consumer or member of the public notifies a worker about an incident that does or could cause permanent or temporary detriment to a consumer, worker or other stakeholder, then the worker must report the incident to General Manager

Workers and consumers will be protected against any adverse actions as a result of reporting or alleging that an incident has occurred.

**Receiving disclosures**

If a disclosure constituting a Reportable Incident is made in good faith to Launceston Volunteers for Community or its workers, and the discloser has provided their details, the discloser:

* Will be protected from any civil or criminal liability;
* Will have qualified privilege in related defamation proceedings,
* Is not liable for defamation related to the disclosure; and
* Is protected from someone enforcing a remedy against them.

**Immediate response**

Where possible, an incident will first be addressed by the organisation’s personnel responsible and qualified to effectively manage the incident as it takes place. First responders understand that they must contact emergency services if the situation warrants.

**Notification procedures**

Staff must report incidents to various agencies and persons based on the following priority system:

* For incidents of a serious nature workers must first contact emergency services.
* Workers must report all incidents and near misses internally to the General Manager
* If it is determined that the incident is a Reportable Incident, the General Manager is responsible for notifying families, guardians and advocates of the consumer.
* If an incident is a Reportable Incident, the General Manager will determine whether it is a Priority 1 or Priority 2 incident, and notify the Commission within the expected timeframe of the Commission. Reporting will be done through the My Aged Care Provider Portal.

**Reporting to police**

If Launceston Volunteers for Community becomes aware of a Reportable Incident of a serious nature, it will be reported to police. This includes in cases:

* In which a Reportable Incident is only suspected or alleged to have occurred;
* Where there are reasonable grounds to notify police; or
* Where the Reportable Incident is criminal in nature.

Launceston Volunteers for Community will notify the consumer and/or their representative if an incident has been reported to the police.

**Timeframes for reporting to the Commission**

Unexplained absence from care will first be reported to the police, then to the Commission as soon as possible, and not later than 24 hours after the absence was reported to the police.

All Priority 1 incidents will be reported, at a minimum, to the Commission in a stage-by-stage process:

* Within 24 hours: incident notification to the Commission and reporting to police where necessary; and

Within 5 business days: any additional detail which was not available at the time of the initial report. Additional information requested by the Commission will be provided within 5 days, or the timeframe specified by the Commission. All Priority 2 incidents will be reported to the Commission within 30 days of Launceston Volunteers for Community either suspecting or becoming aware of the actual incident. Launceston Volunteers for Community will respond promptly to any further questions from the Commission, and provide a final report if required by the Commission.

If significant new information comes to light in relation to a Reportable Incident which has already been reported to the Commission General Manager is responsible for informing the Commission as soon as possible, using the Commission-approved form.

**Final Report**

If required by the Commission, a final report will be provided within 84 business days (12 calendar weeks). The final report will include findings from investigative processes, as well as any additional details required by the Commission.

**Supporting consumers**

Throughout the incident management process, from initial response through to review, consumers and others affected by an incident will be supported by the organisation through means of:

* Reassurance if the consumer reported the incident;
* Trauma and counselling services where required;
* Changes to regular care and services if necessary;
* Consistent engagement with consumers and others affected by an incident, in line with the principles of open disclosure; and
* Clear, ongoing communication regarding the progress and outcomes of the investigation.

Consumers and others affected by an incident will be involved in the management and resolution of the incident where appropriate.

Consumers and other stakeholders will be informed of Launceston Volunteers for Community’s incident management system, and will have access to this policy.

**Assessment and investigation**

The General Manager is responsible for creating an initial assessment of any incident, to determine the severity of an incident and to establish the need for, and scope of, an investigation. If an incident is a Reportable Incident, an internal investigation will take place. All investigations will be undertaken and conducted in accordance with principles of natural justice and procedural fairness.

Incidents involving criminal allegations will be reported to law enforcement, who will receive full support of the organisation in their investigations.

Whenever an investigation into an incident is conducted, it should establish:

* The cause of the incident;
* The effect of the incident;
* Any organisational processes that contributed to or did not function in preventing the incident;
* Changes the organisation can make to prevent further incidents from occurring;
* What, if any, remedial action must be undertaken to prevent or minimise future incidents; and
* The effectiveness of [insert organisation name] ‘s incident management system in relation to the incident.

Information related to incident investigations, including records of phone conversations, emails, documents and, where possible, records of face to face interviews will be recorded and kept in strict confidence.

**Incident resolution**

Based on General Managers assessment, the organisation may undertake remedial action proportionate to the severity of the incident, including but not limited to:

* Providing an apology;
* Disciplinary action; and
* Financial compensation.

The organisation will inform and involve consumers, family and advocates in the process of incident management and resolution. The principles of open disclosure will be observed throughout the incident resolution process.

**Implementing and monitoring corrective actions**

The General Manager is responsible for implementing corrective quality and safety processes based on the findings of an incident investigation.

The General Manager is responsible for monitoring the outcomes of corrective quality and safety measures on a quarterly basis.

**Incident register and review**

The organisation keeps an accurate register of all incidents that occur in relation to the provision of services. Each entry in the register contains:

* A description of the incident;
* A determination of whether or not the incident is a Reportable Incident;
* For Reportable Incidents, a determination of the priority of the incident;
* Where possible, time, date and location;
* Time and date the incident was identified;
* Names and contact details of all the people involved, including witnesses;
* Names and contact details of the incident assessment;
* Actions taken in regard to the incident;
* Whether the persons affected by the incident have been provided with any reports or findings regarding the incident;
* Where relevant, the details and outcomes of any investigation; and
* The name and contact details of the person recording the incident.

The organisation will review this information each quarter to understand trends, address systemic issues, provide feedback and training to staff about preventing and managing incidents, and inform improvement activities.

Records will be kept for a minimum of seven years.

**Disclosures qualifying for protection**

In accordance with section 54-4 of the *Aged Care Act Act 1997* (Cth), individuals can be entitled to protection if they report a Reportable Incident. A person making a disclosure of information (the discloser), may be, or may previously have been any of the following:

* One of Launceston Volunteers for Community]’s key personnel;
* A staff member of Launceston Volunteers for Community;
* A residential care recipient of Launceston Volunteers for Community or a family member, carer, representative, advocate (including an independent advocate) of the recipient, or another person who is significant to the recipient;
* A volunteer who provides care or services for Launceston Volunteers for Community A disclosure of information will qualify for protection if:
1. the disclosure is made to one of the following:
	* the Quality and Safety Commissioner;
	* the approved provider Launceston Volunteers for Community;
	* one of Launceston Volunteers for Community’s key personnel;
	* another person authorised by Launceston Volunteers for Community to receive reports of Reportable Incidents;
	* if the disclosure is reported to another person in accordance with the Quality of Care Principles – that person;
	* a police officer; and
2. the discloser informs the person to whom the disclosure is made of the discloser’s name before making the disclosure; and
3. the discloser has reasonable grounds to suspect that the information indicates that a Reportable Incident has occurred; and
4. the discloser makes the disclosure in good faith.

If a person makes a disclosure that qualifies for protection under the previous criteria, Launceston Volunteers for Community will ensure that:

1. the person is not subject to any civil or criminal liability for making the disclosure; and
2. no contractual or other remedy may be enforced, and no contractual or other right may be exercised, against the person on the basis of the disclosure.

**Protection from victimisation**

In accordance with the *Aged Care Act 1999* (Cth), Launceston Volunteers for Community will protect any persons who have disclosed information relevant to a Reportable Incident from conduct which causes, or threatens to cause detriment to the person. Launceston Volunteers for Community will not engage in such conduct, nor will it condone the behaviour of any staff members who engage in such conduct.

**Protecting informants’ identities**

If the report has been made to Launceston Volunteers for Community, Launceston Volunteers for Community will take reasonable measures to protect the identity of the informant. Launceston Volunteers for Community] will not disclose the identity of the informant to anyone, except the following parties:

* The Commission;
* A person, authority or court to whom Launceston Volunteers for Community [insert is legally required to report;
* One of Launceston Volunteers for Community’s key personnel; and
* A police officer.

If the report was made to a key personnel member (the report recipient) of Launceston Volunteers for Community, Launceston Volunteers for Community will take reasonable measures to ensure that the report recipient does not disclose the identity of the informant to any unauthorised parties.

## Incident Report Template

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| **Incident Report** |
| Incident number: | Date/time report made: |
| Name of person making the incident report:  |
| Position of person making the incident report:  |
| Type of supports being delivered: |
| Date incident occurred:  | Time of incident:  |
| Is the incident a Priority 1 or Priority 2 Incident? [ ]  Priority 1 [ ]  Priority 2 [ ]  Neither |
| Type of incident: [ ]  Unreasonable use of force [ ]  Unexpected death [ ]  Unexplained absence (residential care) [ ]  Psychological or emotional abuse [ ]  Unlawful or inappropriate sexual contact [ ]  Neglect [ ]  Stealing or financial coercion by staff member [ ]  Inappropriate use of a restrictive practice [ ]  Missing consumer (home care) Other: |
| If incident type is neglect, how long has the person been subjected to this neglect? |
| Location of incident or where incident was identified: |
| Did the incident cause harm to: [please tick the relevant item/s] |
| [ ]  Person/s | [ ] Assets |  [ ] Environment | [ ] Organisation’s reputation |
| Did the incident require the aid of emergency services: [ ]  Yes [ ]  No [ ]  N/A |
| **Details of person involved** |
| Name: |
| Phone number: | Email address: |
| Address: |
| **Incident details** |
| How the incident was identified: |
| Describe what occurred: |
| How was the person affected involved, and what was the nature of any harm: |
| Where possible, describe the cause of the incident: |
| Describe the nature, date and time of any first aid treatment, if applied: |
| **Witnesses** |
| Name:Contact: | Name:Contact: |
| **Follow-up action** |
| Immediate action taken: |
| Actions taken in response to incident: |
|  Incident reported to: |
| **Only fill this section if the incident is a Priority 1 or Priority 2 incident under the Serious Incident Response Scheme (SIRS)** |
| Has the incident been referred to the Aged Care Quality and Safety Commission? If so, please give details:* Priority 1 incidents must be reported within 24 hours, with an incident status report being provided within 5 days
* Priority 2 incidents must be reported within 30 days of the organisation either suspecting or becoming aware of the incident
 |
| Was the incident reported within the acceptable timeframe for a SIRS incident? [ ]  Yes [ ]  No |

Incident report entered in Incident management [register/system] by [staff name] on [date].

## Incident Investigation template

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| **Incident Investigation** |
| Name of person conducting the incident investigation: |
| Incident number: |
| Date incident occurred:  | Date report made: |
| Did the incident occur in connection with the provision of services? [ ]  Yes [ ]  No |
| Is the incident a Priority 1 or Priority 2 Incident? [ ]  Priority 1 [ ]  Priority 2 [ ]  Neither |
| Type of incident: [ ]  Unreasonable use of force [ ]  Unexpected death [ ]  Unexplained absence (residential care) [ ]  Psychological or emotional abuse [ ]  Unlawful or inappropriate sexual contact [ ]  Neglect [ ]  Stealing or financial coercion by staff member [ ]  Inappropriate use of a restrictive practice [ ]  Missing consumer (home care)Other: |
| If incident type is neglect, how long has the person been subjected to this neglect? |
| Has the incident been reported in accordance with legislative and jurisdictional guidelines? [ ]  Yes [ ]  No * Priority 1 incidents must be reported within 24 hours, with an incident status report being provided within 5 days
* Priority 2 incidents must be reported within 30 days of the organisation either suspecting or becoming aware of the incident
 |
| Did the incident cause harm to: [please tick the relevant item/s] |
| [ ]  Person/s | [ ]  Assets | [ ]  Environment | [ ]  Organisation’s reputation |
| **Details of person involved** |
| Name: |
| Type of supports being provided: |
| Phone number: | Email address: |
| Address: |
| **Scope** |
| Boundaries of investigation: [include here the authority of investigators to conduct interviews, access information etc.] |
| **Investigating the incident** |
| Describe the incident and/or allegations: |
| How was the client was affected and what was the nature of any harm: |
| Describe the nature, date and time of any first aid treatment, if applied: |
| Witnesses:Name:Contact details: |
| Witness statement: [Please attach a separate statement if required] |
| **Subject of allegation** |
| Is there a subject of allegation for this incident? (If no, skip this part) [ ]  Yes [ ]  No [ ]  N/A |
| Name of subject of allegation: |
| Phone number: | Email address: |
| Address: |
| **Causes** |
| Potential causes:* Not following procedure/no procedure in place
* System failure
* Environmental factors [please provide detail]
* Staff/client behaviour
* Defective equipment
* Inappropriate conduct
* Failure to use Personal protection Equipment (PPE)/no PPE available
* Hazards present
 |
| Details of cause of incident: |
| **Corrective actions (tick actions taken to prevent reoccurrence)** |
| [ ]  Improved work procedures[ ]  Improved communication about work procedures[ ]  Staff training[ ]  Removal of hazards/harm minimisation related to hazard/s[ ]  Equipment repair/replacement[ ]  System modification/improvement[ ]  Improved inspection procedures[ ]  Other (please detail): |
| Describe how the incident could have been prevented: |
| Was the incident well managed and resolved? [ ]  Yes [ ]  No |
| Describe all actions taken: |
| Details of remedial action (include timeframes): |
| Are there any recommended revisions to our processes/procedures and policies as a result of the learnings from this incident? |
| Investigated by:Name:Position:Signature:Date:  |

Please see incident report template – excel document Pdrive:2021 policies