

Incident Management policy

Policy statement

An incident management system is maintained that is relevant and proportionate to the scope and complexity of supports delivered and the size and scale of the organisation. The organisation will ensure incidents are appropriately reported, investigated and managed in a way that is responsive to the immediate circumstances of the incident, the rights of those involved, and the need to ensure risks of recurrence are minimised as far as reasonably practicable.

Scope

This policy applies to all AABDS employees, participants, families, advocates, contractors and volunteers. This policy is owned by the Governing Body.

Principles

Each participant is safeguarded by the provider's incident management system, ensuring that incidents are acknowledged, respond to, well-managed and learned from. This policy is in compliance with the [Disability Services and Inclusion Act 2023](#). AABDS will ensure communication confidentiality and privacy in all of our operations by the following practices:

- notify any affected individual about the proposed disclosure;
- seek the consent of the affected individual to the proposed disclosure;
- provide a reasonable opportunity for the affected individual to comment on the proposed disclosure and the purpose of the disclosure;
- any limitations on how the person may use, make record of, or disclose the information;
- a statement that the information is only to be used in accordance with the purpose of the disclosure;
- all incidents are appropriately reported in a timely manner;
- systems are in place to ensure the timely notification of managers with responsibilities to resolve the immediate issues and fulfil external reporting obligations arising from a specific incident;
- the organisation is committed to consistent recording of circumstances relating to incidents;
- continuous improvements identified from incident are developed to ensure a culture of safety and wellbeing is actively managed.

Practice requirements

The appropriate reporting and management of critical incidents occurring in the context of AABDS provided services is based around the following:

- the organisation will effectively monitor, report and investigate all incidents;
- provide trauma-informed support for people with disability throughout the process; and
- engage in continuous quality activities.

AABDS has develop registers to cross-reference incidents that are also the subject of a complaint, and / or work health and safety investigations. When required by the Commission, AABDS are prepared to engage an independent expert to investigate and report on incidents.

- **Responsiveness** - Reporting of a critical incident must be undertaken in timeframes that are consistent with the level of risk and seriousness of the incident. To facilitate this, distinctions are to be made between incidents involving a child and an adult, the nature of an incident, and the reporting timeframes.
- **Judgement free reporting** - Responses to incidents must focus on the circumstances, not the participant or people involved. Incidents and any related issues must be managed and reported in a factual manner.
- **Accountability and responsibility** - All employees have a role in, and responsibility for maintaining an environment in which the health, safety and well-being of all is protected.
- **Management commitment & reinforcement** - All levels of management must:
 - exercise their responsibilities in relation to preventing and managing all incidents;
 - encourage and support appropriate employee responses that are consistent with this policy and associated procedures;
 - actively promote and sustain a culture that identifies and manages all incidents by clearly articulating, supporting and constantly reinforcing standards that are consistent with this policy and procedures;
 - actively promote a culture of continuous improvement in the workplace and in the delivery of safe, effective services.

Related policies

- Code of Conduct policy
- Governance policy
- Restrictive Practices policy
- Privacy policy
- Employee Discrimination, Harassment and Bullying policy
- Preventing Abuse, Neglect & Exploitation policy
- Anti-discrimination policy
- Whistle-blowers policy
- Information Management policy
- Employee Security Check policy

Other related links

- [National Disability Insurance Scheme Act 2013.](#)
- [NDIS \(Incident Management and Reportable Incidents\) Rules National Disability Insurance Scheme Act 2018.](#)
- [Right to information Act 2009](#)
- [Disability Services and Inclusion Act 2023](#)
- [Corporations Act 2001](#)
- [National Disability Insurance Scheme \(Protection and Disclosure of Information - Commissioner\) Rules 2018](#)
- [National Disability Insurance Scheme \(Code of Conduct\) Rules 2018](#)
- [National Disability Insurance Scheme \(Procedural Fairness\) Guidelines 2018](#)

Acknowledgements

AABDS adheres to the [NDIS Code of Conduct](#) and [NDIS Practice Standards](#) for providers and workers. Our Quality Services and Supports promote the [National Standards for Disability Services – evidence Guide](#).

The organisation promotes the Human Rights principles of the Convention on the Rights of Persons with Disabilities.

POLICY HISTORY

Policy name	Incident Management	Policy owners	Governing Body
Policy created	July 2018	Approved by Board	Oct 2018
Policy reviewed	July 2019	Approved by Board	July 2019
Policy reviewed	Oct 2019	Approved by Board	Oct 2019
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Current version no.	V4	Due for review	Feb 2026

Incident Management Procedure

AABDS has establish incident management arrangements to enable the identification of systemic issues and drive improvements in the quality of the supports they deliver. Providers must also notify, investigate and respond to reportable incidents. National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018. Each participant is provided information on incident management, including how incidents involving the participant have been managed.

Employees are supported by management to **report** incidents and that there are no negative consequences for doing so. All employees should be advised that they can make a complaint on behalf of a person with disability to the NDIS provider or to the NDIS Commission.

- **Roles and responsibilities** - The Directors of AABDS are responsible for reporting, recording, conducting internal investigations and undertaking remedial action;
 - The organisation will notify the NDIS Commission of reportable incidents with 24 hours. Once this notification is made AABDS Directors will provide further information about any investigation or actions arising from the incident to the participant, families, carers, or advocates;
 - Employees receive information on the use of, and compliance with, the incident management system at induction through its policies and procedures. The organisation provides employees information in identifying the signs of abuse and neglect at induction;
 - Certain incidents are reportable incidents, which must be notified to the NDIS Safeguarding Commission, Police or Child Safety services. AABDS comply with the required procedures in relation to incident management. Incidents can also be linked to complaints.

- **Monitor and review incidents** - Review incident management policies, procedures forms and systems to ensure they comply with NDIS Commission requirements. These include:
 - how incidents are identified, recorded and reported;
 - the people to whom incidents must be reported;
 - how people with disability affected by an incident will be supported and involved in resolving the incident;
 - that a response plan is developed when incidents occur;
 - when corrective action is required;
 - when an investigation is required, and
 - how incident data can inform your quality management system and implement improvements to avoid future incidents.

- **Time-frames for reporting incidents to the Commission** - Ensure the required timeframes for reporting are followed:
 - for reportable incidents other than unauthorised use of a restrictive practice: 24 hours;
 - for unauthorised use of a restrictive practice: 5 days;
 - unless the incident also involved other reportable aspects: 24 hours

- **Record of incidents** - Ensure records and related evidence about incidents are maintained:
 - review information and registers to collect data and track the progress of incident response;
 - review safety provisions for participants, e.g. prevention strategies, safe locations after an incident;
 - provide support and assistance to people with disability affected by an incident, including access to advocates;
 - review workforce management systems e.g. training, ratios, roster changes after an incident as an essential employee assistance requirement.

- **Complaints** - AABDS has developed registers to cross-reference incidents that are also the subject of a complaint, and / or work health and safety investigations. When required by the Commission, AABDS are prepared to engage an independent expert to investigate and report on incidents.
 - **Whistle-blower policy** - The Whistle-blower policy includes incident processes and protection for employees.

- **Service agreements** - AABDS will review service agreements to ensure they include reporting obligations to the Commission in relation to incidents and the impact on participant's privacy and staff training implications, the organisation will:
 - Train workers in the use of, and compliance with the incident management system;
 - Advise employees that they can make a complaint on behalf of a person with disability to the Commissioner;
 - Ensure all employees comply with the incident management system and are aware of their roles and responsibilities in identifying, managing and resolving incidents and in preventing incidents from reoccurring.

- **Incident definitions** – AABDS incident management system must cover the following incidents:¹

¹ NDIS (Incident Management and Reportable Incidents)

- acts, omissions, events or circumstances that occur in connection with providing supports or services to a person with disability and which have, or could have, caused harm to the person with disability;
- acts by a person with disability that occur in connection with providing supports or services to the person with disability and which have caused serious harm, or a risk of serious harm, to another person; and
- reportable incidents that have or are alleged to have occurred in connection with providing supports or services to a person with disability.
- **Serious injuries** - In determining whether an injury is 'serious', consideration should be given to the level of harm caused. A serious injury includes, but is not limited to:
 - Fractures;
 - Burns;
 - Deep cuts;
 - Extensive bruising, including large individual bruises, or a number of small bruises over the impacted person;
 - Head or brain injuries or loss of consciousness; and
 - Any other injury requiring hospitalisation.

If a person with disability is hospitalised in relation to a serious injury the incident should be classified as reportable. There will be instances in which a person with disability is hospitalised for reasons unrelated to serious injury, these instances are not reportable incidents.

Hospitalisation includes a person with disability's presentation or admission to an emergency or other ward within a hospital facility, including short-stay admissions if they are related to the injury acquired.

Where incidents may occur:

- in the private home of a person with disability;
- in a residential care setting;
- in supported accommodation;
- in the AABDS premises (for example, the rooms where therapy services are provided; and
- in the community where AABDS is supporting the person with disability to access the community;
- when a person with disability is receiving a support or service (for example, where a person with disability is receiving care from a worker);

- when a person with disability attends the premises of another NDIS provider, or where the support or service is 'off-site', and an incident occurs at the location where those supports, or services were provided;
- when the person is receiving funded supports in the home, or
- where a person with disability is in residential care.

A reportable incident is:

- 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 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 an unauthorised restrictive practice in relation to a person with disability.

Management of reportable incident - will be reported and managed by the Executive Director, Kristy McPherson. The organisation will monitor responses taken by employees, including the immediate activities undertaken to ensure the following process:

1. The employee who identifies the incident immediately completes the incident report form and completes an entry in the incident register.
2. Employees will contact the Executive Director, Kristy McPherson or the On-call manager. Serious and critical incidents should be reported within the shift when the incident occurred or reported as soon as the first responder is able to do so.
3. The On-call Manager will coordinate the appropriate responses to stakeholders updating families, carers and advocates as required.
4. Reportable incidents will be notified to NDIS by the Directors of AABDS. Directors must contact the NDIS Safeguarding Commission within 24 hours of a mandatory or notifiable incident.
5. The participant, family, carers or advocates will be contacted by the Executive Director Kristy McPherson and provided with updates as soon as possible after a notifiable incident.
6. Managers and supervisors have authorisation to share minor or near incidents with the participants family, carers or advocates with the consent of the participant.
7. Information on notifiable incidents, including how the incidents are managed will be provided to the participant, family, carers or advocates within five days of the investigation report being received by the Directors.
8. ABBDS will seek the consent to share information that is relevant for employees views, and incorporation of feedback throughout the organisation as appropriate.

9. Demonstrated continuous improvement in incident management will occur through regular reviews of incident management policies and procedures, review of the causes, handling and outcomes of incidents will be maintained on the incident report and incident register.

Communication during an incident - AABDS will share information with participants and stakeholders on how incidents are to be managed. This includes:

- notify any affected individual about the proposed disclosure; and
- seek the consent of the affected individual to the proposed disclosure; and
- provide a reasonable opportunity for the affected individual to comment on the proposed disclosure;
- any limitations on how the person may use, make record of, or disclose the information; and
- a statement that the information is only to be used in accordance with the purpose of the disclosure.

The death of a person with disability - All deaths of people with disability that occur in connection with the provision of NDIS supports or services must be notified to the Commission.

Once the connection between AABDS and the person's death is established, then the cause of the death (natural or unnatural) or whether the death was expected or not does not change whether the death is a reportable incident.

The place of death does not affect whether the death is a reportable incident so long as there is the required connection between the death and the service provision.

Once the connection is established, deaths are reportable if the person dies:

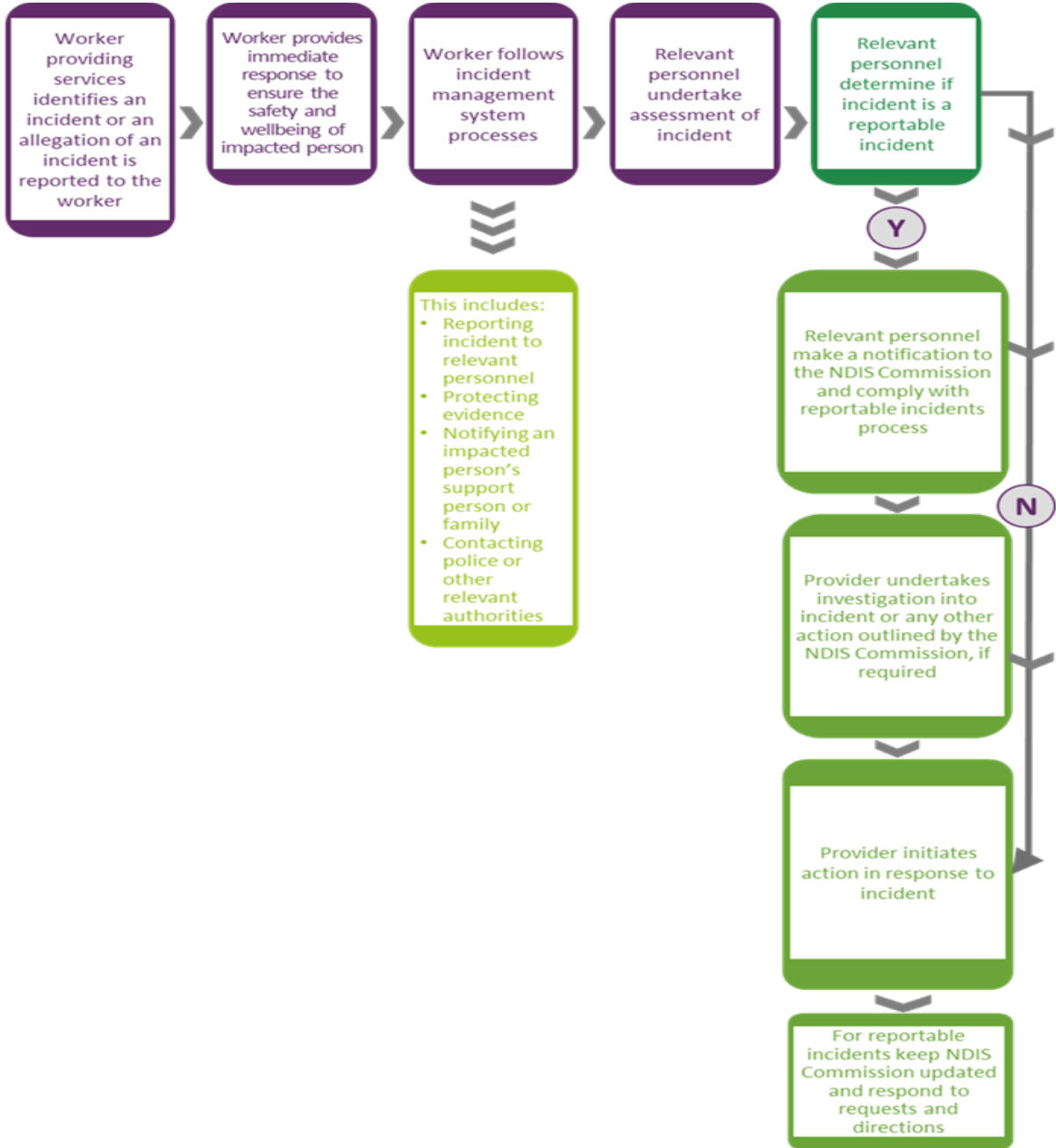
- In their own private home;
- In supported accommodation;
- In the community during community access; and
- In hospital or other health care facility;

AABDS is only required to consider if the death happened in the course of their involvement in providing supports or services to the person. If so, they must report the death to the police, state Coroner and Commission.

Usually only one registered NDIS provider providing NDIS support will be required to report the death of a person with disability to the Commission.

If a death is required to be reported to the Coroner of a state or territory, it is their role to determine the date, place and circumstances, and medical cause of those deaths.

NDIS flow process



PROCEDURE HISTORY

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