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**NDIS Provider**

## Incident Management

NDIS Incident Management

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Supporting documents: Reportable Incidents, Detailed Guidance for Registered NDIS Providers, June 2019, NDIS Quality and Safeguards Commission

National Disability Insurance Scheme

(Incident Management and Reportable Incidents) Rules 2018

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Xtracare Equipment is dedicated to delivering quality and safe services to our clients, including those covered by the National Disability Insurance Scheme (NDIS). We understand that incidents can occur in connection with providing supports and services to people with a disability and that these incidents can have a significant impact on those individuals, workers, families, carers, community members and other NDIS providers.

As a registered NDIS provider, we adhere to the NDIS Code of Conduct and Practice Standards by implementing frameworks that help us provide safe, ethical and high quality products and services to our clients and other people involved in the entire process. Even though we adhere to these frameworks as tightly as possible, we understand that incidents may still occur in the course of our service delivery.

Consequently, we have an incident management system in place to manage and record incidents and to help us learn from and improve our practices to prevent future harm, abuse and neglect of people with a disability.

All incidents that happen in the delivery of NDIS supports and services are recorded and managed in our incident management system. As per the NDIS Incident Management and Reportable Incident Rules we will identify any incident and respond, including the activities undertaken to ensure the safety and wellbeing of people with disability and workers. We will appropriately assess and/or investigate all incidents.

If an incident is found to be a reportable incident, we will notify the NDIS Safeguards Commission using the required form. We understand we may be required to give information to the NDIS Safeguards Commission in connection with any internal or external investigation or assessment that has been undertaken and that we will need to respond to any corrective and restorative measures made by them following a reportable incident. If an incident is deemed not to be a reportable incident, we will still manage it appropriately within our incident management system.

## **The following information outlines our Incident Management System**

### **The types of incidents our system covers**

This system covers:

- Acts, omissions, events or circumstances that occur in connection with providing NDIS supports or services to a person with disability and have, or could have, caused harm to the person with disability
- Acts by a person with disability that occur in connection with providing NDIS supports or services to the person with disability and which have caused serious harm, or a risk of serious harm, to another person
- Reportable incidents that have or are alleged to have occurred in connection with providing NDIS supports or services to a person with disability.

Reportable incidents include:

- 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 with disability for sexual activity
- Unauthorised use of restrictive practices in relation to a person with disability.

Definitions for these incidents can be found in the National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018 online <https://www.legislation.gov.au/Details/F2018L00633> or in our Incident Management System documents in our internal filing system.

## Identifying, Managing and Resolving Incidents

### **How are incidents and alleged incidents identified, recorded and reported:**

Staff are aware of all types of incidents and are encouraged to identify these through the course of their work. Incidents may also be reported to us by a person with a disability, another person who observes the incident, or another party. Some incidents are hard to identify, especially where they involve neglect, abuse or other types of reportable incidents. Staff at Xtracare Equipment are made aware of additional signs that may indicate someone has been impacted by an incident (as per Table 3. Indicators of Incidents in the NDIS Incident Management and Reportable Incidents Rules 2018) to help recognise these.

If an incident has been observed by an Xtracare Equipment staff member, the incident report form should be filled out within 24 hours or as soon as practically and safely possible by that person. If a person with a disability or another party has alleged an incident has taken place, a disclosure should be recorded and documented on the incident report form by the impacted individual, relevant staff member or key personnel within 24 hours or as soon as practically and safely possible. If help is required filling out the form, help can be obtained by one of the key personnel for this system or someone allocated by the person with a disability.

The form must be completed accurately with as much detail as is available at the time it is completed. The Incident report form is available from our secure internal filing system on request from any staff member.

If the incident is a reportable incident (or allegation), one of the key personnel responsible for this system will also notify the NDIS Commission with 24 hours of becoming aware of it via the NDIS Commission Portal using the steps outlined on the NDIS Quality and Safeguards Commission <https://www.ndiscommission.gov.au/providers/incident-management-and-reportable-incidents>.

If one of our staff members becomes aware of, or is notified of an incident involving the unauthorised use of restrictive practice that is not in accordance with a behaviour support plan, we will notify the NDIS Commission within five business days of being made aware of the incident via the NDIS commission portal. If, however, the incident has resulting in harm to person with disability, will be reported within 24 hours.

### **To whom incidents must be reported**

When an incident occurs, the immediate response should be to ensure the safety and wellbeing of the people involved in the incident. If a person with a disability suffers a serious injury and requires medical treatment, you must immediately contact appropriate emergency services (ie ambulance).

Where it is alleged or suspected that a criminal offence has occurred, or where there is ongoing danger, you should contact the Police and other relevant emergency services.

Most times we meet with a person with a disability they are accompanied by a family member, carer, guardian and/or therapist (usually also an NDIS provider). In the case of an incident occurring, a discussion should be had with the impacted individual and/or accompanying individuals about who else they would like to be informed of the incident (eg family members, carer, guardian if not present).

All incidents, reportable or not, should be reported to one of the key personnel involved in the Incident Management System so they can ensure all steps in the incident management system are followed through, including reporting to the NDIS Commission where necessary.

### **How will Xtracare Equipment support, assist and involve a person with disability affected by an incident to ensure their health, safety and wellbeing**

In the event of an incident, the relevant staff member at Xtracare Equipment will ensure the immediate safety of the impacted person by involving relevant safety personnel (ambulance or police) if required. All staff are aware of which staff members have undergone first aid training and will call on them if required. The relevant staff member will ensure the impacted person feels that the incident has been thoroughly considered and relevant information documented on the Incident report form. The impacted person will be given information about how to access external supports if they feel they need any additional services beyond what we are able to provide.

We will also ask the impacted person to provide feedback and input into the assessment, investigations and correcting actions we propose. Where possible, this will be done at the time of the incident but may also be done at a later date if an investigation takes place.

### **When is an assessment or investigation into an incident required?**

All incidents are assessed, considering the views of the impacted person, on the following:

- Whether the incident could have been prevented
- How well the incident was managed and resolved
- What, if any, regulatory action needs to be undertaken to prevent further similar incidents from occurring
- What, if any, regulatory action needs to be undertaken to minimise the impact of an incident
- Whether other persons or bodies need to be notified of the incident.

If there is no obvious cause of the particular incident, an investigation to establish the cause will be undertaken by staff identified to have been involved and those required to obtain an answer. The nature of the investigation will be ascertained by those involved and the key personnel on a case by case basis.

If Police are involved, the internal investigation will not interfere with Police inquiries. This could include delaying the internal investigation, if required.

Staff who will be involved in conducting and responding to incidents receive appropriate training on all aspects of Incident Management.

### **When should corrective action be taken?**

Corrective action aims to address identified systemic issues and drive improvements in the quality of the supports we deliver. It also means we are able to improve our systems to prevent incidents from occurring, and minimise their impact on people with disability and all other individuals involved when they do occur.

Corrective action should be taken in the following circumstances:

- Where an incident may have been prevented (or the severity lessened) by some action (or inaction) by our equipment or services.
- Where there is an ongoing risk to people with disability or anyone involved in the supply of services.
- Where corrective action may prevent or minimise the risk of a reoccurrence.

Examples of corrective actions include:

- Re-training or further training of workers
- Practice improvements including developing or enhancing policies and procedures
- Changes to facilities where our services are provided
- Notify equipment suppliers of changes/ enhancements to be considered.

### **How can this incident management system be accessed?**

People with a disability receiving equipment and services from Xtracare Equipment, including family members, carers, independent advocates and other NDIS providers involved, can obtain a copy of this documented incident management system on request from any staff member at Xtracare Equipment or through our website.

Staff members employed by Xtracare Equipment are trained on this system at the time of their induction and required to review the system annually and/or when relevant (ie if updates are made) and are aware where it can be found in our internal filing system.

### **Storing Information**

Information obtained through our Incident Management System will be stored according to the recommendations in the NDIS Incident Management System Detailed Guidance Document available on the NDIS website.

All information obtained will be dealt with in line with our privacy policy to ensure the confidentiality of personal information is maintained. To see our privacy policy, please refer to our website or ask any of our staff members for a copy.

## Summary of Steps in Incident Management

1. Incident identified or allegation of an incident is reported
2. Respond immediately to ensure safety and wellbeing of impacted persons
3. Follow incident management system processes
  - Report incident to key personnel and commence recording of incident on report form
  - Protect evidence
  - Notify individual's family or carers as requested
  - Contact police or other relevant authorities if required
  - Assess incident and commence investigation if there is no obvious cause
  - Take corrective actions if required
4. Is the incident reportable (see above table)? If yes, key personnel to make a notification to the NDIS commission. Undertake investigation into incident and any other actions outlined by the NDIS commission if required.
5. Record and store information in resources
6. Provide ongoing support to the person with disability impacted by the incident
7. Ongoing review of systemic issues in relation to incident management.