

Incident Management and Reportable Incidents System

Background

Sarah König Speech Pathology (SKSP) recognises the NDIS' National Quality and Safeguarding Commission stipulation of an Incident Management and Reportable Incidents System in order to:

- protect and prevent harm to people with a disability.
- support participants to be informed purchasers and consumers of the NDIS support and services and to live free from abuse, violence and exploitation.

NDIS providers have the primary responsibility for preventing and managing all incidents related to people with disability receiving support and service from their service.

The purpose of this document is to ensure that all SKSP representatives understand their responsibilities in relation to incidents, while also supporting persons with disability, their families, carers, advocates and others who receive services to also be aware of their rights and the support and protections available to them.

Policy

SKSP understands that registered NDIS providers must:

1. establish incident management arrangements to enable the identification of systemic issues and drive improvements in the quality of supports and services they deliver and that failure by a registered NDIS provider to comply with these requirements constitutes a breach of conditions of registration (under paragraph 73 F (2) (g) of the Act) and may lead to compliance and enforcement action (under Division 8 of Part 3A of the Act.),
2. implement and maintain a system to manage incidents,
3. notify, investigate, and respond to incidents, and
4. comply with obligations if an incident is the subject of a complaint under Section 73W and 73X of the Act and the NDIS Complaints Management and Resolution Rules 2018.

Procedure

1. Incidents

All staff will report ANY incident that occurs, in relation to the provision of services to an NDIS client to SKSP as soon as they become aware of it. This includes any acts, omissions, events or circumstances that occur by SKSP staff or the person with a disability, in connection with the provision of the support or service, that could cause serious harm, or risk of serious harm to either the person with a disability or another person.

Procedural fairness will be afforded to the person with a disability and all involved in the incident.

This Incident Management System will be made available to and complied with by all SKSP employees/contractors..

2. Reportable Incidents

A reportable incident is;

- The death of a person with a disability;
- Serious injury of a person with a disability;
- Abuse or neglect of a person with a disability;
- Unlawful sexual or physical contact with, or assault of a person with a disability;
- Sexual misconduct committed against, or in the presence of, a person with a disability, including grooming of the person for sexual activity;
- The use of a restrictive practice in relation to a person with a disability, other than where the use is in accordance with an authorisation of a state or territory body in relation to the person.

SKSP will complete an [Incident Report](#) for all incidents as soon as they become aware an incident has occurred.

SKSP will inform the Commissioner (see contact details below) of any reportable incident within 24 hours of becoming aware of the incident, utilising the information collected on the [Incident Report](#)

The Commissioner of the NDIS Quality and Safeguards Commission,

Name: Simon Christopher

Address 913 Whitehorse Road, Box Hill, VIC 3128

Phone 1800 035 544

SKSP will keep the Commissioner updated in regard to any reportable incidents. If there is a reportable incident, the Commissioner may require SKSP to provide a final report about the incident within a period specified by the Commissioner.

3. Providing support and assistance

SKSP will arrange and provide the required support and assistance to the person with disability affected by the incident (including providing information about access to advocates such as independent advocates to ensure their health and wellbeing (see the [Australian Federation of Disability Organisations](#) website).

4. Management and resolution of the incident

SKSP will ensure that the person affected by an incident is involved in the management and resolution of the incident.

5. Investigation of the incident

SKSP will ensure that all incidents are investigated and assessed. This includes establishing the causes of the particular incident, effects and any operational issues that may have contributed to the incident occurring. SKSP will ensure that procedural fairness is maintained through the incident process.

6. Incident Assessment and Corrective action

SKSP will assess all incidents considering the views of the person with a disability affected by the incident and including;

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

7. Documentation, record keeping and statistics

SKSP must provide copies of this NDIS Incident Management and Reportable Incidents System to:

- persons with disability receiving NDIS support or services and their families, carers and advocates;
- each person employed or otherwise engaged by SKSP
- the family members, carers, independent advocates and significant others of persons with disability receiving support or services from SKSP;

8. Incident Management Systems Review

SKSP will annually review this Incident Management System to ensure its effectiveness ([Compliance Checklist](#))

9. Recording Keeping

All records related to a complaint or reportable incident must be kept for 7 years from the day the record is made. With regards to a reportable incident that subsequently becomes a criminal offence, these records are required to be kept until the relevant statute of limitations expires.

10. Monitoring, and Reporting

SKSP will log all incidents in the [incident register](#) and collect statistical and other information on an annual basis relating to incidents to

- Review issues raised by the occurrence of incidents.
- Identify and address any systemic issues.

If requested, information relating to complaints will be provided to the Commissioner.

11. Roles, Responsibilities and Training

SKSP is responsible:

- For this Incident Management System.
- To report all reportable incidents to the Commissioner within the required timeframes.
- To identify, manage and resolve incidents, and prevent incidents from occurring.
- To ensure that all employee/contactors are aware and have been trained in the Incident Management System.