

Incident management

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Introduction

This policy defines incidents including serious incidents and incidents which are reportable to the NDIS Quality and Safeguards Commission (NDIS Commission). An incident is broadly defined as:

- any event or circumstance that resulted, or could have resulted, in unintended and/or unnecessary harm to a person, or loss or damage to property
- a near miss which did not cause harm, but had the potential to do so
- a medication error involving a preventable event that may cause or lead to inappropriate medication use or harm to a participant while being supported
- any event which deviates from standard policy or procedure
- anything illegal (e.g. assault, sexual misconduct, fraud).

Applicability

When

- applies to supports and services provided to all participants.

Who

- applies to all representatives including key management personnel, directors, full time workers, part time workers, casual workers, contractors and volunteers.

Governing obligations for this policy



NDIS Practice Standards 2.6.1 Incident management



NDIS Practice Standards 2.6.2 Incident management



NDIS Practice Standards 2.6.3 Incident management



NDIS Practice Standards 2.6.4 Incident management

Governing regulations for this policy



Crimes Act 1914 (Cth)



National Disability Insurance Scheme Act 2013 (Cth)



NDIS (Incident Management and Reportable Incidents) Rules 2018 (Cth)

Applicable processes for this policy



Investigate incident



Manage incident



Report incident

Documents relevant to this policy



Incident management (easy read)



Incident report



Incidents register



[Poster - identifying and responding to incidents 6-step guide](#)

Our commitment

As part of incident management responsibilities:

- we are committed to ensure the rights of people with disability are upheld and supported
- we aim to provide a high standard of duty of care and to ensure the safety and well-being of each participant using our services, our employees and members of our community
- we will foster a culture of continuous improvement with a proactive approach to preventing incidents
- if an incident occurs, we will promptly and appropriately respond to the incident in an equitable, objective and fair manner
- we will record all incidents, report (if required) and investigate (if required)
- we will ensure the principles of procedural fairness are maintained by providing those affected an opportunity to give their side of the story and to comment on any adverse views
- we will maintain an incident management system to aid in recording, managing and resolving incidents
- the incident management policy and process is accessible to workers via the Centro ASSIST web app
- the incident management policy and process is provided to participants and stakeholders via email or hard copy during on-boarding and at any time by request.

Organisational responsibilities when responding to incidents

When responding to an incident, it is the organisation's responsibility to:

- immediately respond to an incident to ensure the safety and wellbeing of participants and others at risk
- report to police (if appropriate)
- notifying the NDIS Commission of reportable incidents within 24 hours of becoming aware of the incident
- contact relevant support services e.g. sexual assault support services (if appropriate)
- preserve evidence of the incident
- notify relevant next of kin, family or guardian (as appropriate)
- plan and undertake actions to provide ongoing support to those affected by the incident
- document key actions undertaken in an internal incident report
- record incidents in an internal incident register.

Procedural fairness

Our incident management system will be underpinned by key principles of procedural fairness. This includes, but is not limited to:

- ensuring unbiased investigations
- right to be heard without fear of retaliation
- clear explanation of decisions and outcomes
- providing access to independent advocacy
- ensuring all parties have an opportunity to respond and be involved
- providing updates to people affected
- opportunity to request a review or appeal
- ensuring privacy and confidentiality
- providing independent advocacy as required.

Reporting incidents

Incidents that must be reported to the [NDIS Quality and Safeguards Commission](#) include any incident that involves:

- the death of a participant
- the serious injury of a participant
- abuse or neglect of a participant
- unlawful sexual or physical contact with, or assault of, a participant
- sexual misconduct committed against, or in the presence of, a participant, including grooming for sexual activity
- unauthorised use of a restrictive practice in relation to a participant.

Other incidents may require reporting to other agencies, for example:

- data breach or breach of personal information ([OAIC](#))
- injury or death of a worker while on duty (local state or territory [WHS authority](#)).

Any incident involving crimes such as assault, theft and fraud must be reported to police.

Incident reporting must comply with the timeframes outlined below. Timeframes are calculated from when a registered NDIS provider became aware of the incident. For more information refer to the [Reportable incidents page](#) on the NDIS Commission website.

Reportable incident	MUST notify within
Death of a person with disability.	24 hours
Serious injury of a person with disability.	24 hours
Abuse or neglect of a person with disability.	24 hours
Unlawful sexual or physical contact with, or assault of, a person with disability.	24 hours
Sexual misconduct against, or in the presence of, a person with disability, including grooming of the person for sexual activity.	24 hours

Use of a [restrictive practice that is unauthorised](#) by your state or territory, or does not follow a behaviour support plan for the person with disability.

5 business days If the incident has resulted in harm to a person with disability, it must be reported within 24 hours.

Record keeping

Records of incidents must be kept for a minimum of 7 years from the date of the incident.

Responsibilities of key management personnel

Key management personnel are to:

- ensure employees have the necessary skills to manage incidents
- record serious incidents
- manage escalated incidents and serious incidents
- report serious incidents to the NDIS Commission
- respond to any media enquiries
- investigate incidents or arranging an external investigator to investigate
- review incidents and initiate improvements.

Responsibilities of workers

Worker responsibilities include:

- resolving incidents
- recording incidents
- escalating incidents they can't resolve to key management personnel
- escalating serious incidents to key management personnel.