

# PROCEDURE | Client Incident Response, Reporting and Investigation

## NATIONAL PREMIER DISABILITY SERVICES

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### Document Control

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## PURPOSE

The purpose of this procedure is to ensure that incidents involving National Premier Disability Services clients are responded to, reported, investigated and finalised in an effective and timely manner, and in accordance with legislative and contractual requirements.

In addition, the procedure outlines how National Premier Disability Services will:

address the physical and psychological needs of a client following an incident in order to reduce the impact of the incident and to maximise their wellbeing and

seek to prevent incidents occurring through systematic review and analysis of incident trends and implementing improvement initiatives.

## SCOPE

This procedure applies to all National Premier Disability Services clients, admin staff and carers.

In the event that the incident relates to either suspected, observed or alleged abuse or neglect of a client, the requirements contained in the Responding to Abuse and Neglect of a Client Procedure must also be complied with.

Should the client incident also fit the criteria for an employee incident, then the Staff Accident/Incident Reporting Procedure must also be followed.

## Incident investigation

For suspected abuse and neglect incidents:

Specific requirements for the investigation of abuse and neglect of clients must be followed and these are located in the Responding to Abuse and Neglect of Clients Procedure.

## For serious incidents:

The service manager must:

Ensure that no internal investigations be conducted which may compromise or prejudice any NSW Police Service or external agency involvement or investigations in progress.

Liaise with the NSW Police Service if required to assist them in their investigations.

If no conflict with external investigations exists (e.g. following the conclusion of investigations conducted by the NSW Police Service) work with the service manager and any relevant Carers involved in the incident to complete the investigation and provide a written report on the outcome of the investigation to the Client Services General Manager for their approval within five working days of the initial notification being made.

The report must include the details of the initial incident report, what immediate response took place, the actions taken to date, the outcome of the investigation and recommended actions required to resolve the incident.

The report must also include an action plan to support clients and their families if appropriate. Internal investigations must result in recommendations to prevent the likelihood of the incident occurring in the future and to improve the response and management of incidents in the event that they reoccur.

Provide a copy of the investigation report to the CEO for the purposes of reporting all serious client incidents to the Board.

Liaise with relevant government agencies with regards to the incident if required.

Work with the service manager to implement any agreed follow up actions as approved by the Client Services General Manager.

In the event that, as a result of the internal investigation an employee was found to have breached relevant National Premier Disability Services policies and procedures or was found to be criminally responsible,

liaise with the General Manager Business and the Manager People and Performance to take any necessary disciplinary action as per the recommendations contained in the investigation report approved by the Client Services General Manager.

## For minor incidents:

The service manager must review all minor incidents, identify any actions required to finalise the incident and to minimise the chance of incidents reoccurring, within seven days of the incident being reported. Full records of incidents, including details of reviews, actions and outcomes must be recorded in IRIS.

The service manager must provide a brief written report to the service manager that includes information on the nature of the incident, results of any investigations, actions taken to finalise the incident and actions implemented to reduce the risk of the incident reoccurring. Whole of service review of incidents

In addition to implementing strategies to prevent client incidents reoccurring at the individual client level, client services managers must collectively conduct a review of all reported client incidents in their division every quarter to identify themes, trends and factors contributing to client incidents. Following these reviews, appropriate improvements aiming to prevent client incidents, reduce their impact and improve services must be implemented. This may involve liaising with other National Premier Disability Services divisions.

Client services managers must prepare a report that outlines the details and outcomes of the quarterly reviews, and provide this report to the Client Services General Manager every quarter.

### Incident reporting to the National Premier Disability Services Board

The CEO must report all serious incidents to the National Premier Disability Services Board including de-identified details of the client (initials only), the nature of the incident, de-identified details of Carers involved (initials only), the date, time and location of the incident, any action taken or planned, any outcomes and a plan to prevent the incident reoccurring either at an individual client level or for the whole of service.

## Incidents reportable to the Disability Services Commission

It is a contractual and legal requirement that National Premier Disability Services report all incidents to the Disability Services Commissions (DSC) that meet their definition of serious and notifiable incidents within seven days of the incident occurring. Reporting to DSC is required for incidents relating to all clients regardless of whether or not they are registered with DSC.

The following incidents are required to be reported to DSC:

## DSC Serious Incident

- a) the death of a person with a disability;
- b) serious physical injury or psychological harm suffered by a person with disability;
- c) abuse including physical, emotional, sexual, psychological, financial and neglect of a person with disability;
- d) the person is judged as posing a serious risk to the health, safety or welfare of themselves or others;
- e) exploitation or unjustified restrictive practices used with a person with disability; and
- f) an assault on staff or a visitor to the service by a person with disability.

## DSC Notifiable Incident

- (a) the occurrence of a Serious Incident;
- (b) where a service user causes or contributes to injury, illness or death of any person, or poses a serious risk to the health, safety or welfare of any person;
- (c) any referral of any matter or complaint regarding any Service User, the Services or the Service Provider generally, to any regulatory or investigative body;
- (d) the charging of the Service Provider or an Associate with a criminal offence involving a sexual offence, dishonesty or breach of trust or which otherwise may result in imprisonment of that person;
- (e) serious verbal or written complaints received in relation to the Service or in relation to the Service Provider generally; and
- (f) the occurrence of any event which may cause adverse publicity including but not limited to if the Service Provider is contacted by the media for comment on any aspect of the Services or involving a Service User.

The service manager, as the form initiator, must complete the DSC online Serious Incident Report Form via the DSC website when all required information is available within 48 hours of the incident being reported. The Chief Executive Officer (CEO), as the form approver, must approve it within seven days following the incident being reported.

## Responsibilities

It is the responsibility of each employee to ensure that they remain informed regarding National Premier Disability Services procedures which impact upon their duties, and to work within them.

## CONTINUOUS improvement

All National Premier Disability Services Carers are encouraged to provide feedback on this procedure to their manager, to ensure that it remains relevant and continues to reflect the actual manner in which activities are undertaken.

### National Premier Disability Services

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