

# PROCEDURE Client Incident Response, Reporting and Investigation

## 1. PURPOSE

The purpose of this procedure is to ensure that incidents involving Senses Australia's 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 Senses Australia 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.

## 2. SCOPE

This procedure applies to all Senses Australia clients, employees, volunteers, contractors, students and host families.

**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 Employee Incident Reporting and Investigation Procedure must also be followed.

## 3. DEFINITIONS

### *Employee*

For the purposes of this procedure, employee refers to paid employees, volunteers, contractors, students and host families.

### *Incident*

An event that has the potential to or actually causes injury, harm or other adverse impacts to clients and/or an event where a client contributes to the potential or actual injury, harm or other adverse impacts to others.

### *Incident severity*

Incidents are only categorised in the Integrated Records Information Systems (IRIS) as "High" or "Low".

### *Serious incident (or "High" incident severity)*

Any incident that has the potential to, or results in, a serious outcome for clients or where a client contributes to potential or actual serious outcomes to others.

These include but are not limited to:

- Death (also see PROCEDURE Death of a Community Living Services and Family Support Client)
- Abuse and neglect including concern for a person's welfare and suspected abuse
- Serious physical injury
- Serious illness
- Attempted suicide of a client
- Dysphagia incidents – including choking and aspiration
- Near miss incident that could have resulted in a serious outcome
- Any incident where emergency services are called
- Client as a missing person (also see PROCEDURE Client as a Missing Persons)
- Client behaviours of concern that had the potential to, or resulted in, a serious outcome for another person
- Medication errors such as the wrong/missed dose or incorrect medication being taken by clients
- The following categories of incidents that are defined by the Department of Communities Child Protection and Family Support as it relates to services provided by non-government placements agencies for children in care:
  - Critical incident - Any incident that is likely to result in a child experiencing loss, harm or injury and that may result in a potential legal claim for a child.
  - Standard of care concern - Acts or situations that indicate that a carer has failed to meet the care competencies, but harm or risk of harm has not occurred.
  - Safety and wellbeing concern - Any disclosure or allegation that indicates a child has experienced physical, emotional, sexual harm or serious neglect.

*Minor incident (or "Low" incident severity)*

Any incident that threatens the health, safety and/or wellbeing of clients or where a client contributes to a situation that threatens the health, safety and/or wellbeing of others. These include but are not limited to:

- Client behaviours of concern resulting in minimal impact on themselves or others.
- Medication signing errors when the correct medication was taken by a client but not signed as given in the administration record.
- Minor injury.

*Service supervisor*

The line manager to whom an employee reports, which in relation to this procedure usually is a Regional Area Supervisor (RAS), a coordinator of a client service, the team leader in the South West region for community living services, or the Manager Regional Services in the South West region for therapy services.

*On-call supervisor*

The RAS or Coordinator who is on-call after normal business hours. The contact number for Community Living Services Metro and Wheatbelt is the Scheduling

number allocated to employees at induction or by their supervisor, as these numbers are diverted after hours to the on-call supervisor:

Please see SUPPORT MATERIAL After-Hours Support Contact Details for Client Services for further information on after-hours contacts for other service areas.

#### *Service manager*

The manager of the service who is responsible for the service where the client incident occurred. This includes the role of the Senior Coordinator Family Support.

#### *On-call manager*

The details of who is the on-call manager can be located on the Enterprise Document Storage System.

## **4. PROCEDURAL DETAILS**

All client incidents must be reported by employees in accordance with this procedure.

### **4.1 Incident response and reporting**

At the time an employee becomes aware of a client incident, either at the time it occurs or subsequent to the event, they must immediately:

- Protect the client from further harm

Employees who fail to respond immediately and protect the client from further harm following an incident are in breach of duty of care and this procedure, and may be subject to disciplinary action.

- Apply and seek first aid and contact emergency services

Apply or seek first aid if required and contact the Ambulance service on 000 in the event that a client sustains a serious injury requiring medical treatment or is in urgent need of medical help.

The WA Police Service must be called immediately on 000 in any situation where:

- life or serious injury is threatened;
- where there is a threat of danger to people or property;
- when a serious crime is in progress, being witnessed or just committed (for example physical or sexual assault); or
- any other situation where urgent WA Police Service assistance is needed.

In all other cases the service supervisor or on-call supervisor if after hours must be contacted to authorise any contact with the WA Police Service.

- Implement immediate response requirements for suspected, observed or alleged abuse and neglect of client incidents

Follow the additional steps required for the immediate response to suspected, observed or alleged abuse and neglect of clients as contained in the Responding to Abuse and Neglect Procedure.

- Protect evidence

Secure the scene of the incident if appropriate, for investigation purposes.

- Contact the service supervisor or on-call supervisor

Contact the supervisor within **30 minutes** if the incident is serious. See “Additional steps for serious incidents” below.

- Complete a Client Incident Report Form or enter incident details into IRIS

The employee who identified the incident must, within two hours of the incident taking place or being identified, either:

- complete the Client Incident Report Form in Microsoft Word wherever possible or alternatively scan a handwritten form and email, using a Senses Australia email, to the Administration Team at [admingroup@senses.org.au](mailto:admingroup@senses.org.au) or fax to 9473 5499; or
- if the employee has access to IRIS, enter the details of the incident directly into IRIS as a case note and mark as an incident.

On receipt of a Client Incident Report Form, the Administration Team must enter the details from the Client Incident Report Form into IRIS as a case note checked “Yes” as an incident, within 48 hours from when it was received. Where Client Incident Report Forms are received in Microsoft Word, the content is copied and pasted into the “comments” section of the IRIS case note incident record. The Word or PDF report must also be uploaded into the Notes section of this IRIS case note incident record

All reports that have been emailed must be ‘set regarded’ to the incident record in IRIS.

### **The following additional steps for serious incidents must be followed**

The employee who identified the incident must:

- Contact the service supervisor or on-call supervisor

After protecting the client from further harm, attending to the client’s medical needs and contacting the emergency services (if required), the employee who became aware of the serious incident must immediately make a verbal report to the service supervisor either in person or by telephone (or by telephone to the out of hours supervisor) within 30 minutes of becoming aware of the incident.

Written or verbal messages for the service supervisor or service manager must not be left. Only employees who are Deaf and do not communicate verbally may send a

text message. Deaf or hearing impaired employees must provide sufficient information in their message so that the nature of the incident can be understood.

In the event that the employee who identified the incident cannot contact and speak with the service supervisor / on-call supervisor after 20 minutes, they must telephone the service manager or on-call manager.

Implement any follow up actions as directed by the service supervisor or on-call supervisor.

- Implement any actions as directed including communicating with the client's emergency contact regarding the incident.

The service supervisor/on-call supervisor must:

- Confirm with the employee reporting the incident that the incident is a "serious incident" in accordance with the definition contained in this procedure.
- Authorise any further contact with the WA Police Service on 000 if an emergency situation still exists and where the WA Police Service have not already been called, or contact the WA Police Service on 131 444 for attendance in non-emergency situations where it is believed that a crime may have been committed.
- Agree on further immediate action to be taken by the employee reporting the incident.
- Immediately following the conversation with the employee reporting the incident, telephone the service manager or on-call manager to advise them of the incident, the actions taken to date and the planned immediate actions to be taken, by when and by whom.
- For clients who are under the care of the CEO of the Department for Child Protection and Family Support (CPFS) and also under the care of a Senses Australia host family, verbally contact the relevant case worker, their team leader or the district director during office hours or if after-hours, the Crisis Care service on 9223 1111. A copy of the completed Client Incident Report Form must be sent to the case worker at the CPFS Head Office by the next business working day following the initial notification

During normal business hours, the service manager must:

- Immediately brief the Executive Director Operations in person or by telephone with details of the following serious incidents:
  - Death
  - Abuse and neglect including concern for a person's welfare and suspected abuse
  - Serious physical injury
  - Serious illness
  - Attempted suicide of a client
  - Dysphagia incidents – including choking and aspiration
  - Client as a missing person
  - Incident that may adversely impact of the reputation of the organisation
- Within 24 hours of the initial notification of the incident, determine any other appropriate actions to be taken and ensure that they are implemented. This

includes contacting the WA Police Service if they believe a crime has been committed and where contact with the WA Police Service has not previously been made, and providing the Executive Director Operations with updates on the situation, any immediate action taken and any planned follow up actions.

After normal business hours, the on-call supervisor must:

- Immediately brief the on-call manager by telephone with details of the following serious incidents:
  - Death
  - Abuse and neglect including concern for a person's welfare and suspected abuse
  - Serious physical injury
  - Serious illness
  - Attempted suicide of a client
  - Dysphagia incidents – including choking and aspiration
  - Client as a missing person
  - Incident that may adversely impact of the reputation of the organisation
- Within 24 hours of the initial notification of the incident, determine any other appropriate actions to be taken and ensure that they are implemented. This includes contacting the WA Police Service if they believe a crime has been committed and where contact with the WA Police Service has not previously been made.
- The following normal business day, provide the Executive Director Operations with an update on the situation, any immediate action taken and any planned follow up actions.

The Executive Director Operations or on-call manager must:

- Immediately notify the Chief Executive Officer of any serious incident that are likely to adversely impact on the reputation of the organisation. Action taken to date and planned follow up actions must be provided.

Provision of support to clients

Depending on the nature of the incident, clients, their families, their friends or carers must be provided with support where appropriate including referral to specialist organisations, counselling services or by providing information on advocacy services during the course of an investigation. A Senses Australia support person may be allocated to the client, their families, their friends or carers depending on the severity of the incident.

## **4.2 Incident investigation**

### **4.2.1 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.

**4.2.2 For serious incidents:**

The service manager must:

- Ensure that no internal investigations be conducted which may compromise or prejudice any WA Police Service or external agency involvement or investigations in progress. Employees of Senses Australia must NOT interview children under the care of the CEO of Child Protection and Family Support in relation to concerns or allegations of harm nor interview host families in relation to allegations of harm.
- Liaise with the WA 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 WA Police Service) work with the service supervisor and any relevant employees involved in the incident to complete an investigation and add the findings of the investigation to the incident created in the IRIS client file within five working days of the initial notification being made. The following information must be included in the Comments section:
  - what immediate response took place;
  - the actions taken to date;
  - the outcome of the investigation and recommended actions required to resolve the incident;
  - an action plan to support clients and their families if appropriate;
  - 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.
- Liaise with relevant government agencies with regards to the incident if required, including submitting a referral to CPFS for children.
- Work with the service supervisor to implement any other agreed follow up actions or Incident Actions in IRIS as determined by the Executive Director Operations.
- In the event that, as a result of the internal investigation an employee was found to have breached relevant Senses Australia's policies and procedures or was found to be criminally responsible, liaise with the Director Organisational Development and Executive Services to take any necessary disciplinary action as per the recommendations contained in the investigation by the Executive Director Operations.

**4.2.3 For minor incidents:**

The service supervisor 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 supervisor must add information in the IRIS incident regarding 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.

#### **4.2.4 Whole of service review of incidents**

In addition to implementing strategies to prevent client incidents reoccurring at the individual client level, the Executive Director Operations must conduct a review of all reported client incidents annually 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 Senses Australia divisions.

All planned actions to improve services and processes, and reduce incidents must be logged and tracked through Senses Australia's Compliance Obligation Register, Improvement initiatives must also be reviewed periodically as part of the Plan, Do, Check, Act cycle to ensure that they have resulted in the desired improvement.

The Executive Director Operations must prepare a report at the end of the financial year that outlines the details and outcomes of the review and provide this report to the Chief Executive Officer.

#### **4.3 Incident reporting to the Senses Australia Board**

The CEO must report all serious incidents to the Senses Australia Board with 24 hours that are likely to adversely impact on the reputation of the organisation. Action taken to date and planned follow up actions must be provided.

The report from the annual review of all client incidents must be tabled at a Board meeting by the CEO.

#### **4.4 Incidents reportable to the Department of Communities Disability Services**

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

The following incidents are required to be reported to DoC:

##### DoC 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.

### DoC 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 DoC online Serious Incident Report Form via the DoC website when all required information is available within 5 working days of the incident being reported. The Executive Director Operations, as the form approver, must approve it within nine days following the incident being reported.

#### **4.5 Incidents relating to children under the care of the CEO of Child Protection and Family Support receiving services in Family Support.**

Senses Australia must abide by The Department for Child Protection and Family Support and Non-Government Placement Agencies Protocol for Standard of Care and Safety and Wellbeing Concerns for Children in the CEO's Care December 2013.

The Protocol can be accessed on the Quality Management System under the Disability Placement and Support Contract Resources folder located in the Resources Document Library.

## **5. RESPONSIBILITIES**

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

## **6. CONTINUOUS IMPROVEMENT**

All Senses Australia employees are encouraged to provide feedback on this procedure to their supervisor, to ensure that it remains relevant and continues to reflect the actual manner in which activities are undertaken.

<b>RELATED FORMS</b>
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<a href="#">FORM Client Incident Report</a>
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<a href="#">FORM Compliments, Complaints and Ideas</a>
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Disability Services Commission's (DSC) Online Serious Incident Reporting. System found on DSC's website at <a href="http://www.dsc.wa.gov.au">www.dsc.wa.gov.au</a> under Disability sector/Contracts.
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<b>RELATED QMS DOCUMENTS</b>
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<a href="#">POLICY Clients Human Rights and Freedom from Abuse and Neglect</a>
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<a href="#">POLICY Duty of Care</a>
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<a href="#">POLICY Occupational Safety and Health</a>
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<a href="#">POLICY Safeguarding for Clients</a>
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<a href="#">PROCEDURE Client Admission to Hospital</a>
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<a href="#">PROCEDURE Client Services Governance</a>
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<a href="#">PROCEDURE Clients as Missing Persons</a>
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<a href="#">PROCEDURE Code of Conduct</a>
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<a href="#">PROCEDURE Compliments, Compliments and Ideas</a>
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<a href="#">PROCEDURE Community Living Services Death of a Client</a>
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<a href="#">PROCEDURE Death of a Community Living Services and Family Support Services Client</a>
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<a href="#">PROCEDURE Discipline and Termination</a>
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<a href="#">PROCEDURE Duty of Care</a>
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<a href="#">PROCEDURE Employee Incident Reporting and Investigation</a>
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<a href="#">PROCEDURE Responding to Abuse and Neglect of a Client</a>
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<a href="#">PROCEDURE Staff Accident/Incident Reporting and Investigation</a>
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<a href="#">PROCEDURE Supporting and Reporting Client Behaviours of Concern</a>
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<a href="#">PROCEDURE Use of Restrictive Practices</a>
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<a href="#">SUPPORT MATERIAL After-Hours Contact Details for Client Services</a>
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<b>RELEVANT LEGISLATION AND STANDARDS</b>
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Disability Services Act (1993), section 25(4)
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General Provisions of the Service Agreement, clause 3.7
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The Department for Child Protection and Family Support and Non-Government Placement Agencies Protocol for Standard of Care and Safety and Wellbeing Concerns for Children in the CEO's Care December 2013
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