



PROCEDURE Care seeker Incident Response, Reporting and Investigation

PURPOSE

The purpose of this procedure is to ensure that incidents involving individuals receiving services through Careseekers 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 Careseekers will:

- address the physical and psychological needs of an individual using the Careseekers platform 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 Careseekers platform users.

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.

DEFINITIONS

Platform users

For the purposes of this procedure, platform users refers to:

- workers, being aged care and disability support workers who provide services through the Careseekers platform, and
- care seekers, being individuals receiving care and support services from workers they engaged through the Careseekers platform.

Incident

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

Serious incident

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

These include but are not limited to:

- Death.
- Abuse and neglect including concern for a person's welfare and suspected abuse.
- Serious physical injury.
- Serious illness.
- Attempted suicide of a care seeker.
- Dysphagia incidents – including choking and aspiration.
- Near miss incident that could have resulted in a serious outcome.
- Any incident where emergency services are called.
- Care seeker as a missing person.
- Care seeker behaviours of concern that had the potential to, or resulted in, a serious outcome for another person.
- Medication errors such as the wrong/misled dose or incorrect medication being taken by care seekers.

Minor incident

Any incident that threatens the health, safety and/or wellbeing of a care seeker or where a care seeker contributes to a situation that threatens the health, safety and/or wellbeing of others.

These include but are not limited to:

- Care seeker behaviours of concern resulting in minimal impact on themselves or others.
- Minor injury.

PROCEDURAL DETAILS

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

Incident response and reporting

At the time worker becomes aware of a care seeker incident, either at the time it occurs or subsequent to the event, they must immediately:

- Protect the care seeker from further harm

Workers who fail to respond immediately and protect the care seeker 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 Police Service must be called immediately on 000 in any situation where life or serious injury is threatened; or 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 Police Service assistance is needed.

- Implement immediate response requirements for suspected, observed or alleged abuse and/or neglect of care seeker.

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

- Protect evidence

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

- Contact any relevant support coordinator or service provider

Contact the relevant support coordinator or service provider as soon as possible. See “Additional steps for serious incidents” below.

- Complete a Client Incident Report Form

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

- complete the Client Incident Report Form and scan and email it to info@careseekers.com.au ; or
- enter the details of the incident directly into the Careseekers online portal.

The following additional steps for serious incidents must be followed

The worker who identified the incident must:

- Contact the Careseekers NDIS manager

After protecting the care seeker from further harm, attending to the care seekers’ medical needs and contacting the emergency services (if required), the worker who became aware of the serious incident must immediately contact the Careseekers NDIS manager participants manager by telephone. If it is outside of office hours they must send an email and the Careseekers NDIS manager will get back to them during office hours.

- Implement any follow up actions as directed by the Careseekers NDIS manager
Implement any actions as directed by the Careseekers NDIS manager including communicating with the care seekers emergency contact regarding the incident.

The Careseekers NDIS manager must:

- Confirm with the worker reporting the incident that the incident is a “serious incident” in accordance with the definition contained in this procedure.
- Assist with making any further contact with the Police Service if an emergency situation still exists
- Agree further immediate action to be taken by the care worker reporting the incident.
- Immediately following the conversation with the worker report the incident, telephone the CEO to advise them of the incident, the actions taken to date and the planned immediate actions to be taken, by when and by whom.

Provision of support to platform users

Depending on the nature of the incident, platform users 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.

The care seeker, their family, friend or carer will be informed of their right to have an advocate during an incident investigation and Careseekers would encourage the use of an advocate during this investigation.

Incident investigation

For suspected abuse and neglect incidents:

Specific requirements for the investigation of abuse and neglect of care seekers must be followed and these are located in the Responding to Abuse and Neglect of Care Seekers Procedure.

For serious incidents:

The Careseekers NDIS manager must:

- Ensure that no internal investigations be conducted which may compromise or prejudice any Police Service or external agency involvement or investigations in progress.
- Liaise with the 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 Police Service) work with relevant workers involved in the incident to complete the investigation and provide a written report on the outcome of the investigation to the CEO for 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 care seekers 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.
- The CEO will report all serious incidents to the Board.
- Liaise with relevant government agencies with regards to the incident if required, including submitting a referral to Family and Community Services for children.
- implement any agreed follow up actions as approved by the CEO.
- In the event that, as a result of the internal investigation a care worker was found to have breached relevant Careseekers' policies and procedures or was found to be criminally responsible, liaise with the CEO to take any necessary disciplinary action as per the recommendations contained in the investigation report approved by the Careseekers NDIS manager.

1.1.1 For minor incidents:

The Careseekers NDIS 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 the Careseekers' systems.

The Careseekers NDIS manager must provide a brief written report to the CEO 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.

1.1.2 Whole of service review of incidents

In addition to implementing strategies to prevent care seeker incidents reoccurring at the individual care seeker level, the Careseekers NDIS manager must collectively conduct a review of all reported care seeker incidents every quarter to identify themes, trends and factors contributing to care seeker incidents. Following these reviews, appropriate improvements aiming to prevent care seeker incidents, reduce their impact and improve services must be implemented.

The Careseekers NDIS manager must prepare a report that outlines the details and outcomes of the quarterly reviews, and provide this report to the CEO every quarter.

1.2 Incident reporting to the Careseekers board

The CEO must report all serious incidents to the Careseekers' Board including de-identified details of the care seeker (initials only), the nature of the incident, de-identified details of the worker 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.

1.3 Incidents reportable to the NDIS Quality and Safeguards Commission (QSC)

It is a contractual and legal requirement that Careseekers report all incidents to the NDIS Quality and Safeguards Commissions (QSC) that meet their definition of serious and notifiable incidents within five days of the incident occurring. Reporting to QSC is required for incidents relating to all clients regardless who are NDIS participants.

The following incidents are required to be reported to QSC:

Serious Incident

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

This does not replace existing obligations to report suspected crimes to the police and other relevant authorities.

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.

TIMEFRAMES AND REPORTING

Most reportable incidents must be notified to the QSC within 24 hours of Careseekers' key personnel being made aware of it, with a more detailed report about the incident and actions taken in response to it to be provided within 5 business days.

The unauthorised use of restrictive practice must be notified to the QSC within 5 business days of a provider's key personnel being made aware of it. If there is harm to a care seeker, it must be reported within 24 hours.

A **final report** may also be required within **60 business days** of submitting the five-day report. The QSC will advise Careseekers whether a final report is required.

In all cases, Careseekers will assess:

- the impact on the care seeker
- whether the incident could have been prevented
- how the incident was managed
- what, if any, changes are required to prevent further similar events occurring.

RESPONSIBILITIES

It is the responsibility of each support worker on the Careseekers platform to ensure that they remain informed regarding Careseekers policies and procedures which impact upon their duties, and to work within them.

CONTINUOUS IMPROVEMENT

All Careseekers' employees and support workers on the Careseekers platform are encouraged to provide feedback on this procedure to their service coordinators, to ensure that it remains relevant and continues to reflect the actual manner in which activities are undertaken.

RELATED FORMS
FORM Client Incident Report
Forms for notifying the NDIS Commission of a reportable incident are provided below:
NDIS Reportable Incidents Forms:

RELATED FORMS

- Reportable incident – Immediate notification form
https://www.ndiscommission.gov.au/sites/default/files/documents/2018-06/NDIS-Reportable-Incident-Form_Immediate.pdf
- Reportable incident – 5 day notification form
<https://www.ndiscommission.gov.au/sites/default/files/documents/2018-07/NDIS%20Reportable%20Incident%20Form%20-%205%20Day%20notification.pdf>

Once a form is completed, it will be emailed to the QSC at reportableincidents@ndiscommission.gov.au.