

Incident Management Policy

Policy statement

Therapy Connect endeavours to provide a safe environment for all people, including employees, subcontractors, participants, their families and visitors. Therapy Connect is committed to establishing a formal process to report and investigate all workplace hazards, incidents and near miss occurrences. The process includes identifying contributing factors of the incident or hazard making the necessary recommendations to prevent a recurrence.

This policy is written to align with [National Disability Insurance Scheme \(Incident Management and Reportable Incidents\) Rules 2018 \(Cth\)](#) and [Australian Commission on Safety and Quality in Health Care National Safety and Quality Health Service \(NSQHS\) Standards](#).

Other Therapy Connect [Clinical](#) and [general](#) policies and procedures provide further guidance, including but not limited to:

- Protecting Vulnerabilities Policy - mandatory reporting relating to incidents involving children and young people, including reporting of allegations against an employee or contractor.
- Privacy Policy - notifiable data breaches.
- Health and Safety Policy - safe work practices.
- Risk Management Procedure - hazard management process.

Scope

This policy applies to all Therapy Connect representatives, both paid and unpaid, including employees, subcontractors and board members (collectively referenced as 'workers').

Responsibilities

Workers

It is the responsibility of all workers to:

- Identify and respond to an incident, including hazards and near misses.
- Respond swiftly and effectively to incidents, prioritising their own safety and the safety of others
- Report to their supervisor as soon as practicable.

Management

It is the responsibility of management to:

- Document all identified hazards and incidents in the incident register;
- Investigate all reported incidents and hazards.
- Ensure all workers understand how to identify and respond to an incident;
- Notify senior management of all serious and reportable incidents
- Provide support to impacted workers.

Senior Management

It is the responsibility of senior management to:

- Ensure there is an incident management system suitable for the size of the business;
- Monitor and review incidents and the elimination or control of potential risks
- Investigate all serious incidents.
- Report all serious and notifiable incidents to the NDIS Commission.
- Analyse incident report and assessment data for system failings and human factors contributing to incident trends
- Develop improvement plans and strategies to reduce harmful events.
- Develop policies and strategies to improve participant safety and care quality.
- Develop policies and strategies to improve worker safety.

Definitions

Clinical Incident - An event or circumstance resulting from clinical care that could have or did, lead to unintended and/or unnecessary harm to a participant

Corporate Incident - An event or circumstance resulting from work practices that could have or did lead to unintended and or unnecessary harm to workers or visitors who are not participants of the service; potential damage or delays to processes and systems, loss of assets fraud or theft, safework claims or prosecutions, environmental incidents.

Dangerous incident - Any incident that necessitates the attendance of emergency services, including 'near misses' where injury may or may not have occurred if there has been a serious risk to the health or safety of a person. This includes explosion, fire, gas leak, electric shock, falls from height, collapse of equipment or structures or exposure to hazardous substances.

Harm - The effect of an act, omission, event or circumstance that occurs, including physical impacts, such as physical injuries, emotional impacts, such as fear or poor self-esteem, and psychological impacts, such as depression or affected learning and development

Hazard - Something, including a person's behaviour, that has the potential to cause death, injury or illness.

Incident - An unplanned and undesired event that adversely affects or has the potential to adversely affect the health or wellbeing of a person or the completion of a task. Incidents range

in severity from near misses to fatal accidents.

Near Miss - An incident that could have caused harm but did not or an incident that was intercepted before causing harm

Notification - process of entering or documenting data about an incident or near miss for any of the incident categories in the incident management system.

Reportable incident (NDIS) - Serious incidents or alleged incidents that result in harm to an NDIS participant and occur in connection with NDIS supports and services. Specific types of reportable incidents include: death of a person, serious injury, abuse, neglect, unlawful sexual or physical contact, assault, sexual misconduct with or in the presence of a participant and restrictive practice other than as authorised and/or in accordance with a behaviour support plan.

Regulated restrictive practices - Restrictive practice means any practice or intervention that has the effect of restricting the rights or freedom of movement of a person with disability. Under the [National Disability Insurance Scheme \(Restrictive Practices and Behaviour Support\) Rules 2018](#) certain restrictive practices are subject to regulation. These include seclusion, chemical restraint, mechanical restraint, physical restraint and environmental restraint.

SafeWork notifiable incident - The death of a person, serious injury or illness or a dangerous incident (see above) that is work-related, plus eligible data breaches. Serious injury or illness is that which requires, or should reasonably require, immediate treatment as an in-patient in a hospital by a registered medical professional.

Serious incident – The death of a person, serious injury or illness, a dangerous incident or a data breach. Serious illness or injury is that which requires, or should reasonably require, the attendance of emergency services or in-patient admission to a hospital within 48 hours. A data breach is the unauthorised access or disclosure of personal and/or sensitive information.

Sexual harassment is an unwelcome sexual advance or request for sexual favours to another person, and other unwelcome conduct of a sexual nature in relation to another person. Examples might include unwelcome touching, staring or leering, or a suggestive comment or joke. To be sexual harassment, it has to be reasonable to expect that there is a possibility that the person being harassed would be offended, humiliated or intimidated by the behaviour.

Workplace / work environment - Any place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work.

Incident Management Process

The [Incident Management Procedure](#) further details the incident management process.

Organisation wide learning

Information including hazard and incident data and feedback from workers, participants and carers can identify system vulnerabilities to inform quality improvement efforts for the organisation. Incident management data and related data sets will be reviewed by senior management to inform action at an organisational level.

Mandatory and Legislated Reporting

Police & emergency services

- The Police must be called immediately on 000 in any situation where:
 - life or serious injury is threatened;
 - there is a threat of danger to people or property;
 - a serious crime is in progress, being witnessed or just committed (for example physical or sexual assault) or
 - urgent Police assistance is needed, in any other situation.
- Contact the ambulance service if someone requires emergency medical assistance, is injured or believed to be injured.

Child safety

Mandatory reporting must be completed in Child related allegations, charges and convictions against staff which are notifiable to the Child Protection Helpline in the state in which the incident is alleged to have occurred. These allegations may be work or non-work related and include historical matters. See the Therapy Connect [Child Safety Procedure](#) for further details.

NDIS

Therapy Connect must notify the NDIS Commission of all reportable incidents in connection with the provision of NDIS supports and/or services delivered.

Reportable incidents include:

- death of a person with disability
- serious injury of a person with disability
- abuse or neglect of person with disability
- unlawful sexual or physical contact with, or assault of, person with disability
- sexual misconduct, committed against, or in the presence of, a person with disability, including the grooming of the person with disability for sexual activity
- use of a restrictive practice in relation to a person with disability where the use is not in accordance with an authorisation in relation to the person or if it is used according to the authorisation but not in accordance with the behaviour support plan for the person with disability

All reportable incidents need to be notified via the NDIS Commission Portal. It is the responsibility of management to ensure this reporting occurs.

Most reportable incidents must be reported to the Commission within 24 hours of key personnel (management) being made aware of it, with a more detailed report about the incident and actions taken in response to it to be provided within five (5) business days.

The unauthorised use of restrictive practice must be notified to the Commission within five (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 (5) day report. The Commission will advise the organisation whether a final report is required.

SafeWork

Therapy Connect must notify [SafeWork Australia](#) of [certain](#) notifiable incidents that occur during work activities. Notifiable incidents are all serious incidents except for eligible data breaches. WHS laws vary in each state / territory and a notifiable incident is required to be reported to the state based SafeWork organisation the practitioner lives in, as below:

- **NSW** - a notifiable incident must be reported to SafeWork NSW immediately after becoming aware it has happened and, if SafeWork NSW asks, with written notification within 48 hours of the request,
- **Queensland** - a notifiable incident must be reported to [WorkSafe Queensland](#) immediately after becoming aware it has happened
- **Victoria** - a notifiable incident must be reported to [WorkSafe Victoria](#) immediately after becoming aware it has happened
- **Western Australia** - a notifiable incident must be reported to [WorkSafe WA](#) immediately after becoming aware it has happened
- **South Australia** - a notifiable incident must be reported to [WorkSafe SA](#) immediately after becoming aware it has happened
- **Northern Territory** - a notifiable incident must be reported to [NT WorkSafe](#) immediately after becoming aware it has happened
- **Australian Capital Territory** - a notifiable incident must be reported to [WorkSafe ACT](#) immediately after becoming aware it has happened
- **Tasmania** - a notifiable incident must be reported to [WorkSafe Tasmania](#) immediately after becoming aware it has happened by telephone and an online form completed within 48 hours;
- The incident site must be preserved until an Inspector arrives or directs otherwise (subject to some exceptions).

Information Commissioner

Therapy Connect must notify the Australian Information Commissioner and all individuals affected where an eligible data breach has occurred. Please refer to the Therapy Connect Privacy Policy for more information.

Internal reporting - sexual harassment and/or discrimination

Therapy Connect takes the risks of sexual harassment and/or discrimination seriously and any incidents or concerns should be reported immediately to the workers management representative and/or the People and Culture team or Chief of Staff.

External non-mandatory reporting

- [National Disability Abuse and Neglect Hotline](#) - a free, independent and confidential service for reporting abuse and neglect of people with disability.
- [Elder Help Hotline](#)- a free and confidential service for information support and referrals regarding suspected elder abuse.

Record keeping

Therapy Connect will keep records of each reportable incident that occurs, or is alleged to have occurred, for a period of seven years from the date of notifying the NDIS Commission of the incident.

Relevant legislation

- NSW - [Work Health and Safety Act 2011](#) and the [Work Health and Safety Regulation 2017](#).
- Queensland - [Work Health and Safety Act 2011](#) and [Work Health and Safety Regulation 2011](#)
- Victoria - [Occupational Health and Safety Act 2004](#) and Occupational Health and Safety Regulations 2017
- South Australia - [Work Health and Safety Act 2012 \(SA\)](#) and [Work Health and Safety Regulations 2012 \(SA\)](#)
- Western Australia - [Work Health and Safety Act 2020](#) and [Work Health and Safety \(General\) Regulations 2022](#)
- Tasmania - [Work Health and Safety Act 2012](#) and [Work Health and Safety Regulations 2022](#)
- ACT - [Work Health and Safety Act 2011](#) and [Work Health and Safety Regulation 2011](#)
- Northern Territory - [Work Health and Safety \(National Uniform Legislation\) Act 2011](#) and [Work Health and Safety \(National Uniform Legislation\) Regulations 2011](#)
- model WHS laws - [model WHS Act](#); [model WHS Regulations](#); [model Codes of Practice](#)
- [National Disability Insurance Scheme \(Incident Management and Reportable Incidents\) Rules 2018](#)

Reference Documentation

- [Clinical Incident Management Policy 2019 Government of Western Australia Dept](#)

[Health](#)

- [Policy Directive Incident Management 2020](#) NSW Government Ministry of Health
- [NDIS Commission Incident Management and Reportable Incidents](#)
- Refer to the Therapy Connect [Incident Management Procedure](#) for additional information.

Document control

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