

21. Incident Management and Reportable Incidents System (NDIS)

NDIS providers have the primary responsibility for preventing and managing all incidents related to people with disability receiving support and service from their service.

The purpose of this document is to ensure that the speech pathologist understands his/her responsibilities in relation to incidents while also supporting persons with disability, their families, carers, advocates and others who receive services to also be aware of their rights and the support and protections available to them.

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Policy

The speech pathologist understands that registered NDIS providers must:

- 1. establish incident management arrangements to enable the identification of systemic issues and drive improvements in the quality of supports and services they deliver and that failure by a registered NDIS provider to comply with these requirements constitutes a breach of conditions of registration (under paragraph 73 F (2) (g) of the Act) and may lead to compliance and enforcement action (under Division 8 of Part 3A of the Act.),*
- 2. implement and maintain a system to manage incidents,*
- 3. notify, investigate and respond to incidents, and*
- 4. comply with obligations if an incident is the subject of a complaint under Section 73W and 73X of the Act.*

Procedure

21.1 Incidents

1. The speech pathologist will make note of ANY incident that occurs, in relation to the provision of services to an NDIS client as soon as they become aware of it. This includes any acts, omissions, events or circumstances that occur by the speech pathologist or the person with a disability, in connection with the provision of the support or service, that could cause serious harm, or risk of serious harm to either the person with a disability or another person.
2. Procedural fairness will be afforded to the person with a disability and all involved in the incident.
3. This Incident Management System will be made available to and complied with by any contractors or others engaged by the practice.

21.2 Reportable Incidents

1. A reportable incident is;
 - The death of a person with a disability;
 - Serious injury of a person with a disability;
 - Abuse or neglect of a with a disability;
 - Unlawful sexual or physical contact with, or assault of a person with a disability;
 - Sexual misconduct committed against, or in the presences of, a person with a disability, including grooming of the person for sexual activity;
 - The use of a restrictive practice in relation to a person with a disability, other than where the use is in accordance with an authorisation of the Senior Practitioner in relation to the person.
2. The speech pathologist will complete an *Incident Report* all incidents as soon as they become aware an incident has occurred.
3. The speech pathologist will inform the NDIS Commission (the Commission) of any reportable incident within 24 hours of the practice becoming aware of the incident, utilising the information collected on the *Incident Report*. The Commission can be contacted at:

Phone: 1800 035 544

Email: reportableincidents@ndiscommission.gov.au
4. The speech pathologist will keep the Commission updated in regard to any reportable incidents. If there is a reportable incident, the practice may be required to provide a final report about the incident within a specified period.

21.3 Providing Support and Assistance

1. The speech pathologist will arrange and provide the required support and assistance to the person with disability affected by the incident (including providing information about access to advocates such as independent advocates to ensure their health and wellbeing).

21.4 Management and Resolution of the Incident

1. The speech pathologist will ensure that the person affected by an incident is involved in the management and resolution of the incident.

21.5 Investigation of the Incident

1. The speech pathologist will ensure that all incidents are investigated and assessed. This includes establishing the causes of the particular incident, effects and any operational issues that may have contributed to the incident occurring. The speech pathologist will ensure that procedural fairness is ensured through the incident process.

21.6 Incident Assessment and Corrective Action

1. The speech pathologist will assess all incidents considering the views of the person with a disability affected by the incident and including;
 - Whether the incident could have been prevented;
 - How well the incident was managed and resolved;

- What, if any, remedial action needs to be undertaken to prevent further similar incidents from occurring, or to minimise their impact;
- Whether other persons or bodies need to be notified of the incident.

21.7 Documentation, Record Keeping and Statistics

1. The speech pathologist must provide copies of this NDIS Incident Management and Reportable Incidents System to:
 - persons with disability receiving NDIS support or services and their families, carers and advocates;
 - any person engaged by the practice
 - the family members, carers, independent advocates and significant others of persons with disability receiving support or services from the practice;

21.8 Incident Management Systems Review

1. The speech pathologist will annually review this Incident Management System to ensure its effectiveness.

21.9 Record Keeping

1. All records related to a complaint or reportable incident must be kept for 7 years from the day the record is made. In regards to a reportable incident that subsequently becomes a criminal offence, these records are required to be kept until the relevant statute of limitations expires.

21.10 Monitoring and Reporting

1. The speech pathologist will log all incidents in the incident register and collect statistical and other information on an annual basis relating to incidents to:
 - Review issues raised by the occurrence of incidents.
 - Identify and address any systemic issues.
2. If requested, information relating to complaints will be provided to the Commission.

21.11 Roles, Responsibilities and Training

1. The speech pathologist is responsible:
 - For this Incident Management System.
 - To report all reportable incidents to the Commission within the required timeframes.
 - To identify, manage and resolve incidents, and prevent incidents from occurring.
 - To ensure that any contactors or others engaged by the practice are aware and have been trained in the Incident Management System.

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