

POLICY

Policy Name	Serious Incident Response Policy
Policy Category	Statutory
Department / Officer	Community and Development / Manager Community Wellbeing
Date Adopted	24 April 2023
Date/s Reviewed	
Review Frequency	Every Three Years
Strategic Plan Reference	Aspiration 6 – We are a financially sustainable and well-governed organisations

Attachments

1. Purpose

The purpose of this policy is to ensure protective practices for older people in connection with services by an approved provider funded by the Department of Health and Aged Care. These practices are implemented by the City of Victor Harbor to keep people safe from deliberate or inadvertent risk of harm and provide them with an understanding of such protective practices.

2. Scope

This policy applies to the City of Victor Harbor Council Employees, Council Members, Volunteers, Contractors and Consultants and the eight types of reportable incidents under the Serious Incident Response Scheme as follows:

- Unreasonable use of force
- Unlawful sexual contact or inappropriate sexual conduct
- Neglect of a person who receives aged care
- Psychological or emotional abuse
- Unexpected death
- Stealing or financial coercion by a staff member
- Inappropriate use of restrictive practices
- Missing consumers

3. Policy Statement (Summary)

The City of Victor Harbor as a provider under the *Aged Act 1997*, is committed to manage incidents and take reasonable steps to prevent incidents, including through implementing and maintaining an incident management system.

4. Legislation and Compliance

Serious Incident Response Scheme (SIRS) is an initiative from the Aged Care Quality and Safety Commission (the Commission) to help reduce the risk of abuse and neglect for older people receiving services by Aged Care approved providers funded by the Department of Health and Aged Care. These providers are governed by the Aged Care Quality Standards and the *Aged Care Act* (1997)

The SIRS requires aged care providers to identify, record, manage, resolve, and report all serious incidents to the Commission that occur, or are alleged or suspected to have happened, in an aged care service.

From 1 December 2022, the SIRS has been extended from residential aged care to home and flexible care that is delivered in a home or community setting. This includes providers of Commonwealth Home Support Programme (CHSP). Council currently provides CHSP services through the Caring Neighbourhood Program and the Southern Communities Transport Scheme.

Incident management and prevention responsibilities apply to incidents that occur 'in connection with' the provision of care and services to older persons. 'In connection with' refers to the relationship or association between the incident and the provider. It includes all incidents that have occurred (or are suspected to have occurred) during the course of providing care and services or due to the provision (or lack thereof) of care and services.

Under the SIRS, an allegation, suspicion, or witness account of any of the stated serious incidents must be reported to the Commission.

5. Definitions

For the purposes of this policy, the definitions are from the Serious Incident Response Scheme Guidelines for Providers of Home Services and *Aged Care Act 1997*.

Aged Care Quality and Safety Commission (The Commission) is the national regulator of aged care services and the primary point of contact for consumers and providers in relation to quality and safety in Aged Care in Australia.

Aged Care Quality Standards (the Quality Standards) the quality standards in which organisations approved to provide aged care services in Australia are legally required to comply.

Approved Provider is a provider approved under the Aged Care Act (or funded through funding agreements) to provide Commonwealth-funded aged care services delivered in the home or community.

Harm means physical, sexual, emotional or psychological harm

Older Person in the context of this policy, an older person refers to a person 65 years or older who is receiving services funded through Department of Health and Aged Care.

Open disclosure means an expression of regret, a factual explanation of what happened, the potential consequences and a description of the steps being taken to manage the harm associated with the incident and to prevent it from happening

again.

Reportable Incident means the current Serious Incident Response Scheme for residential aged care, home and community care defines a 'reportable incident' as an incident (actual, alleged, or suspected) committed to a care recipient in connection with the provision of services in an aged care setting. Providers are required to notify the Aged Care Quality and Safety Commission of reportable incidents.

Reasonable Grounds may include scenarios where an approved provider is aware of facts or circumstances (alleged or known) that lead to a belief that an incident is likely to be of a criminal nature and therefore should be reported to the Police.

Risk of Harm means the likelihood of inflicting harm (either directly or as a consequence of other actions or inaction) and the severity of that harm.

6. Policy Content

Management of incidents must be focused on the safety, health, wellbeing and quality of life of the older people that use the City of Victor Harbor services.

Council must respond to an incident by:

- Assessing the support and assistance required to ensure the safety, health and wellbeing of those affected by the incident and providing support and assistance;
- Appropriately involving each person affected by the incident (or a representative of the person) in the management and resolution of the incident
- Using an open disclosure process, which means Council should facilitate an open discussion with those affected by an incident and engage with that person (or people) in the management and resolution of the incident.

6.1 Reportable Incidents

A reportable incident is:

- An incident that has occurred, or is alleged or suspected of having occurred, in connection with the provision of care to a consumer.
- The incident has caused harm, or could reasonably have been expected to have caused harm, to a consumer, and
- The incident is one of the following eight types of incidents:
 - Unreasonable use of force
 - Unlawful sexual contact or inappropriate sexual conduct
 - Psychological or emotional abuse
 - Unexpected death
 - Stealing or financial coercion
 - Neglect
 - Inappropriate use of restrictive practice or
 - Missing consumers

The period for notifying a reportable incident to the Commission will depend on the classification of the incident as Priority 1 or Priority 2, which is outlined in Clause 6.3

6.2 Classifying Reportable Incidents as Priority 1 or Priority 2

Council is required to notify all actual, suspected or alleged reportable incidents as outlined in Clause 6.1 and is required to classify a reportable incident as either:

- A Priority 1 reportable incident; or
- A Priority 2 reportable incident

When classifying a reportable incident, some must always be classified as a Priority 1 based on the incident type or if there are reasonable grounds to report the incident to police.

For other types of reportable incidents, Council needs to classify the incident priority based on whether the incident caused (or could reasonably have been expected to have caused) physical or psychological injury or discomfort to a consumer requiring medical or psychological treatment to resolve.

6.3 Timeframes for Reportable Incidents

Classifying the incident as either a Priority 1 or 2 determines the relevant timeframes for notifying the incident to the Commission and the information required to be included in the notification.

6.3.1 Priority 1

All Priority 1 incidents must be notified to the Commission within 24 hours of the person becoming aware of the reportable incident.

A Priority 1 reportable incident is a reportable incident:

- that caused, or could reasonably have been expected to have caused, a consumer physical or psychological injury or discomfort that requires medical or psychological treatment to resolve.
- where there are reasonable grounds to report the incident to police
- involving unlawful sexual contact or inappropriate sexual conduct inflicted on a consumer
- that is an unexpected death of a consumer; or
- where a consumer goes missing in the course of provision of home services

6.3.2 Priority 2

Priority 2 incidents include any reportable incident that does not meet the Priority 1 criteria as outlined in Clause 6.2.1 and includes:

- Unreasonable use of force
- Psychological or emotional abuse
- Neglect of a consumer
- Stealing or financial coercion by a Council Employee
- Inappropriate use of restrictive practices

All priority 2 reportable incidents must be notified to the Commission within 30 calendar days of the person becoming aware of the reportable incident.

6.3 Notifying Reportable Incidents

Council Employees, Volunteers and Contractors who become aware of a reportable incident must notify one of the following people immediately:

- Chief Executive Officer; or
- Director Community and Development; or
- Manager Community Wellbeing; or
- Coordinator or Assistant Coordinator of the program

All reportable incidents are to be notified to the Commission by providers via the My Aged Care Service and Support portal, within the period as specified in Clause 6.3.

Must notify the Police of an incident when there are reasonable grounds to do so.

6.4 Incident Management System

An Incident Management System is required to be kept to record each incident that occurs in the service, regardless of whether or not it is a reportable incident.

6.5 Continuous Improvement

A reportable incident will be recorded in Councils Incident Management System, to identify trends and issues and pursue continuous improvement in the quality of care and services the Council delivers.

6.6 Training

Council Employees must be trained to use and comply with the Incident Management system and understand their role in identifying, managing and resolving incidents and in preventing incidents from occurring.

Volunteers must be trained in Serious Incident Response to be aware of their role in preventing and managing an incident.

7. Risk Management

This Policy provides specific obligations to ensure an effective incident management system is in place and identifies the range of incidents that must be reported to the Commission.

8. Implementation/Delegations

The Chief Executive Officer or delegates are responsible for reporting all reportable incidents to the Aged Care Quality and Safety Commission (the Commission) and are responsible for implementing this, Policy.

9. Related Documents

Aged Care Act 1997
Serious Incident Response Scheme Guidelines
Serious Incident Response Scheme

Incident Response Procedure
Serious Incident Response Scheme Fact Sheet – Reportable Incidents
Records Management Policy
Volunteer Policy and Induction Booklet
Quality of Care Principles 2014
Aged Care Quality Standards

10. Availability of Policy

This policy is available on Council's website at www.victor.sa.gov.au.