

Participant Incident and Accident

Policy and Procedure

Document name	Participant Incident and Accident	CEO approved	
Category	People We Support		
Version	1	Approval date	August 2025
Implementation date	31 August 2025	Review date	August 2028

Purpose

To outline workers obligation to report any concerns they have, that may impact this, including worker's appropriate response to acts, errors, events, or circumstances that

- Occur in connection with the provision of supports or services to participants
- Has, or could have caused harm to a participant.

All workers understand their role and responsibilities and fully comply with the

- NDIS Quality and Safeguards Commission's **Reportable Incident** reporting requirements (also apply to participants funded under DSOA) and the
- Department of Communities reporting requirements for **Serious Incidents**.

Where an incident or accident occurs, participants and their families/guardians are supported, informed, and consulted as appropriate throughout the process, with opportunities for improvement implemented to minimise the risk of an incident reoccurring.

Who is this Procedure for?

This Policy and Procedure applies to all workers and key personnel from Identitywa, including the Authorised Reportable Incidents Notifier/s and the Approver/s, who submit reports to the NDIS Quality and Safeguards Commission.

Additionally, it informs participants and their families/guardians/decisionmakers of response mechanisms Identitywa has in place for incidents and accidents where a participant is involved or impacted.

Policy Statement

Identitywa recognise that many of the participants using Identitywa services are at risk of incidents and accidents. Identitywa seeks to:

- Ensure incidents, accidents, or emergencies are prioritised, managed and investigated appropriately.
- Minimise risk and prevent future incidents through the development of appropriate participant-centred plans, worker training, risk assessments and review as required.
- Identify opportunities to improve the quality-of-service provision by ensuring that the incident system and processes are coordinated and linked to the quality and risk management systems.

Identitywa promotes a culture in which all workers understand the important role and contribution they have in ensuring the safety of participants who access the services.

Procedure

All incidents must be reported as per this policy and procedure. Management is responsible for ensuring that workers are trained, know their obligations and are confident with regards to incident response and reporting requirements.

Understanding Identitywa's Reportable Incident and Reporting requirements

Reportable incidents are specific types of serious incidents that have (**or are alleged to have**) occurred in connection with the provision of supports and services by Identitywa to a participant.

NDIS Reportable Incidents and timeframes:

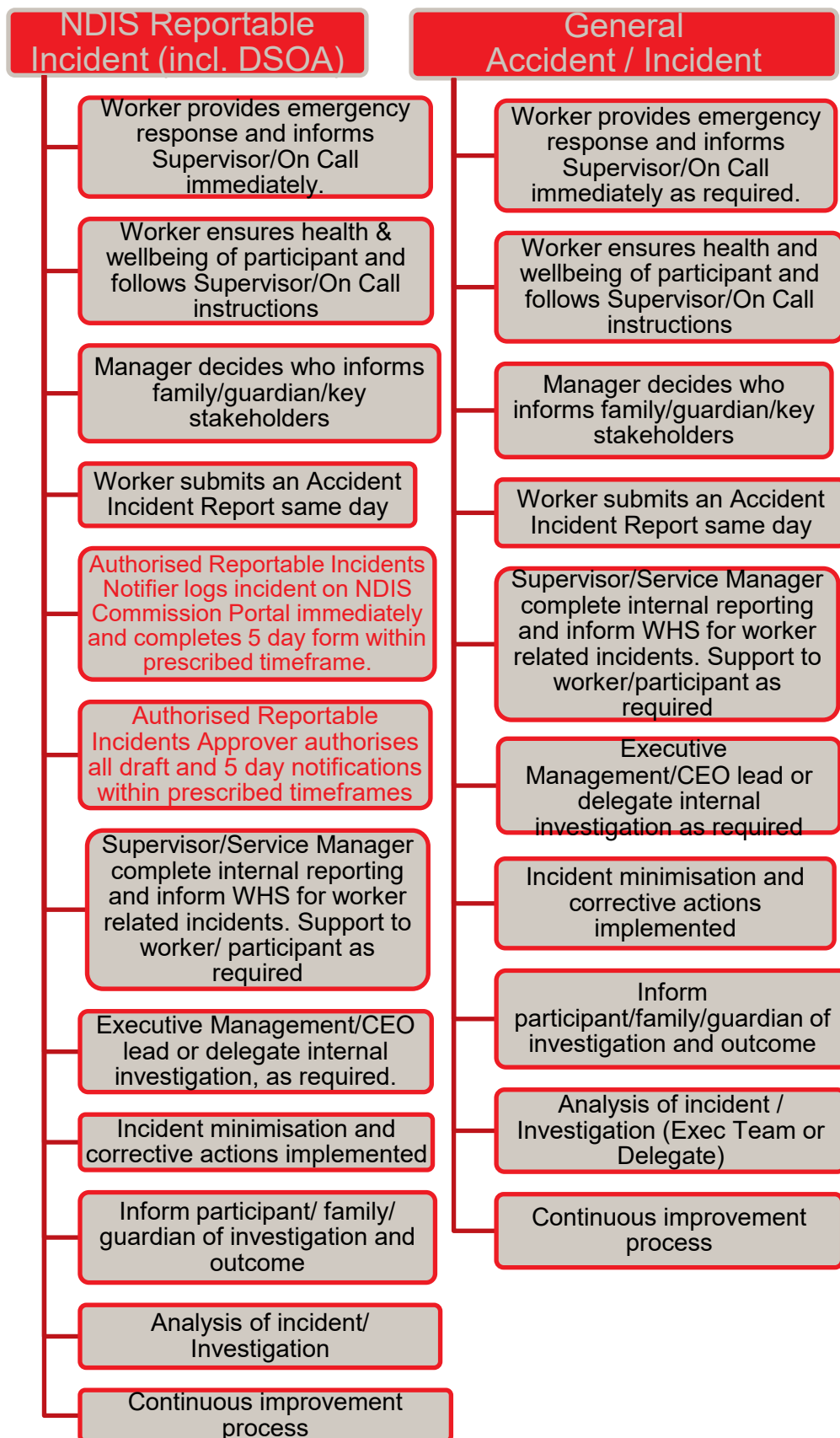
NDIS Reportable incident	Required Reporting Timeframe
Death of a person living with disability	24 hours
Serious injury of a person living with disability	24 hours
Abuse or neglect of a person living with disability	24 hours
Unlawful sexual or physical contact with, or assault of, a person living with a disability	24 hours
Sexual misconduct committed against, or in the presence of, a person living with a disability, including grooming of the person for sexual activity	24 hours
Use of a restrictive practice in relation to a person with disability where the use is not in accordance with an authorisation (however described) of a state or territory in relation to the person, or if it is used according to that authorisation but not in accordance with a behaviour support plan for the person with disability	5 (five) business days

As a registered NDIS provider, Identitywa must notify the NDIS Commission of all Reportable Incidents (as per above) and strictly adhere to the required reporting timeframes. Reporting is undertaken as outlined under *Responsibilities*.

Workers must notify Supervisor/On Call immediately when a Reportable / Serious Incident occurs.

⚠ IMPORTANT: Identitywa is required to notify the NDIS Commission of Reportable Incidents which have occurred, or are alleged to have occurred, if those incidents happened in connection with the provision of supports or services by Identitywa within 24 Hours

Incident Management – Reportable Incidents vs General Incidents



Step 1: Inform - Report Incident incl. Roles and Responsibilities

In the event of a Reportable Incident and, where it is safe to do so, workers must take appropriate immediate action to minimise the risk of further injury or damage. If necessary, Emergency Services (000), should be contacted for assistance, such as if medical attention is required.

When the situation has been controlled, the worker must contact the Supervisor/On Call immediately before starting to record as much detail as possible via iPlanit Incident Management System (if no access, report via Participant Incident Reporting form available on Staff Portal). This information is then submitted to key personnel immediately.

Identitywa (internal) Incident identification and recording

An Accident/Incident report must be completed for all incidents that occur at Identitywa. All details relating to *Reportable Incidents* are documented and records maintained on the Serious Incidents Register, which is maintained by the Executive Assistant to the CEO and Board.

Position	Responsibilities
Workers	Immediate reporting of a Reportable Incident to the Supervisor/On Call and follow given direction, followed by completing the accident/incident form via iPlanit Incident Management System or hard copy form.
Supervisors	Complete relevant sections of Accident/Incident Report and forward to Service Manager.
Service Managers*	Complete relevant sections of incident reports and forward to WHS Officer and commence notification to relevant external bodies. Inform family/guardian in coordination with Executive Management / CEO.
Executive Manager*	Commence Accident/Incident investigation, where required, in accordance with the Investigation Policy and Procedure
Authorised Reportable Incidents Notifier*	Workers who have been allocated this role, to save draft information for approval by the Authorised Reportable Incidents Approver, within the NDIS Commission Portal.
CEO/ Executives - Authorised Reportable Incidents Approver	Serious and Reportable incidents submitted to the NDIS Commission and/or to the Department of Communities

Authorised Reportable Notifier to report to NDIS Commission

There are set timeframes for Identitywa to notify the NDIS Commission. They are:

- Within 24 hours of key personnel becoming aware of a reportable incident or allegation. An exception to this rule is notifying the NDIS Commission of the use of a restrictive practice that is unauthorised or not in accordance with a behaviour support plan. In these instances, the registered NDIS provider must notify the NDIS Commission within five business days of being made aware of the incident. If, however, the incident has resulted in harm to a person with disability, it must be reported within 24 hours.

AND

- Within five (5) business days of key personnel becoming aware of a reportable incident, to provide additional information to that provided in the immediate notification form. The five (5) day form is also to be used for incidents involving the unauthorised use of a restrictive practice, other than those resulting in serious injury to a person with disability.

Identitywa must report what is identified as a reportable incident (including allegations) to the NDIS Commission, even where Identitywa believes it has acted and responded appropriately. A failure to comply with the requirement to notify, investigate and manage reportable incidents is a breach of Identitywa's Conditions of Registration and may lead to compliance and enforcement action by the NDIS Commission.

Reporting to the NDIS Commission does not replace Identitywa's obligations to report particular events to other agencies, such as reporting any criminal activity to the police.

The NDIS Commission may request further information following the notification.

Notification is completed on the NDIS portal and must be submitted to the NDIS Commission with copies of all documents relating to the incident. This includes:

- Incident Reports.
- File notes.
- Risk management assessments and/or plans.
- Participant's plans relevant to the incident, such as a Behaviour Support Plan.
- Copies of correspondence between relevant persons or agencies.

Following the review of an incident notification, the NDIS Commission will determine any further action.

If the Commission deems the incident to require no further action the Commission will close the incident. If further action is required, the Commission contacts Identitywa via email.

Record management

Correspondence relating to the assessment, or potential investigation of an incident will be documented and retained as part of the Records Management Policy.

NOTE: Reportable Incidents are recorded in the Identitywa **Serious Incident Register**. This register is monitored by the Office of the CEO, with a report generated monthly for the CEO and the Board.

Identitywa will store the information and records (both paper and electronic) relating to an allegation or incident securely. The information must be kept for a minimum of seven (7) years from the date the record is made.

Serious Incidents – Department of Communities

Some participants with Identitywa may be funded under the Department of Communities and not the NDIS. For these participants, Identitywa is required to report any death or serious injury to a participant we support. These include:

- Death.
- Serious physical injury.
- Serious illness.
- Abuse (including physical, psychological, financial, neglect, sexual).
- Concerns for the person's welfare (suspected abuse).
- Action by person with disability that results in any of the above or risk of any of the above.
- Other serious incident (exploitation or unjustified restrictive practices).

When a Serious Incident has been identified, it must be reported to a supervisor immediately, who will then notify the CEO. The CEO will follow the Department of Communities' serious incident reporting process. The incident must be reported within **seven (7) days** of the occurrence.

Step 2: Internal Investigation incl. Corrective Action (for details see Investigation Policy and Procedure)

A formal internal investigation may be undertaken under the direction of the CEO or delegate as per Investigation Policy and Procedure by workers trained in investigations.

The purpose of the investigation is to establish the causes of an incident/accident and establish corrective actions as part of a continuous improvement process. This is to minimise the risk of the situation happening again.

Steps for a formal investigation are as follows:

- Plan of action
- Conduction of interviews
- Investigation Report to Executive Management and CEO
- Corrective Actions taken
- Completion of Investigation incl. information of outcome to participant/family/guardian
- Assessment of Incidents
- Record Management.

Note: Depending upon the circumstances, Identitywa might delegate the investigation to an external investigator. Identitywa may also be required by the NDIS Commission to undertake a review with an external investigator.

Any criminal conduct will be reported directly to the WA Police.

Step 3: Support of Participant and family/guardian

The participant should be appropriately supported throughout the process, and their ongoing safety and wellbeing monitored. This includes support to contact WA Police if required and/or desired.

Depending on the incident, the environment may need to be assessed to ensure participants safety and to prevent any recurrence.

Identitywa will collaborate with the person/s involved to manage and resolve the incident and review the incident with the participant as appropriate, considering any assistance the participant may require.

The participant/family/guardian are offered the opportunity to access an advocate or person who will support them and their interests. Information and support to access Advocacy Services are provided as required. (See the Advocacy Policy and Procedure, the Advocacy Easy Read Policy, and the Advocacy Services List for further details).

Step 4: Continual Improvement

- A Personal Risk and Emergency Management (PREM) Plan is established for every participant and reviewed annually or as required. After an incident the PREM Plan may be reviewed with the participant and family/guardian as part of the corrective actions to reduce the risk to participants and their environment.
- Effectiveness of mechanisms/corrective actions are evaluated via:
 - Participant review process incl. support plan review
 - Participant feedback
 - Case conferencing where appropriate.
- Workers are trained in emergency procedures and maintaining an awareness of potential risks in their area of responsibility/risk minimisation.
- Internal audits are conducted
- Policies and procedures are reviewed on a regular basis and may also be adjusted as part of the outcome of an investigation.
- Post-incident assessments are undertaken
- The serious incident register is monitored by the Office of the CEO with a report generated monthly for the CEO and Board.

Accessibility

Participants can be provided with information in Easy Read format, as required.

If a participant or part of the participant's support network, speak a language other than English, an interpreter can be organised by contacting the Translating and Interpreting Service (TIS) for free translation services. Call 131 450 or (08) 9474 3303.

If the participant or member of the support network is deaf or find it hard to hear or speak to hearing people on the phone, support can be organised by calling the National Relay Services (NRS) TTY 133 677.

How do we know we are getting it right?

This document is reviewed within the framework of Identitywa's quality assurance and continuous improvement process, in consultation with key stakeholders. Process performance and effectiveness are measured against Identitywa's standards, objectives, and practices as part of a scheduled review of this and other related documents based on the level of risk to participants and the organisation.

All Identitywa policies and procedures are measured against the NDIS Practice Standards and other applicable standards, such as the National Catholic Safeguarding Standards.

Definitions

Accident

An event or situation that actually resulted in harm to an individual or damage to equipment or property. This Policy and Procedure includes accidents as incidents.

Impacted Person

A participant or worker has been affected by an incident that has occurred during the provision of services and/or workplace at Identitywa.

Incident

An incident is defined as an act, omission, event, or circumstance. It may mean any of the following:

- Acts, omissions, events, or circumstances that occur in connection with providing supports or services to a participant and have, or could have, caused harm to the participant.
- Acts by a participant that occur in connection with providing supports or services to the participant and which have caused serious harm, or a risk of serious harm, to another person.

Key personnel

A member of the group of persons who is responsible for the executive decisions of the registered NDIS provider and any other person who has authority or responsibility for (or significant influence over) planning, directing, or controlling the activities of the registered NDIS provider (see also section 11A of the NDIS Act 2013). Key personnel at Identitywa are Service Managers, Executive Management team, CEO.

Near Miss

An incident which did not cause harm but had the potential to do so.

Participant

A person supported by Identitywa, such as a client, resident, or other recipient of services.

Risk

Something that could potentially lead to an incident or accident.

Support Network

Family, friends, carers, and other people who have a supportive relationship with a participant.

Worker

A person who carries out work in any capacity for a person conducting a business, including work as:

- An employee
- A contractor or sub-contractor/sole trader

- An employee of a contractor, sub-contractor or sole trader
- A student, trainee, apprentice, volunteer, or host.

The legal and regulatory requirements we have to follow

[Children and Community Services Act 2004](#)

[Children and Community Services Amendment Act 2021](#)

[National Disability Insurance Scheme \(NDIS\) Act 2013](#)

[NDIS Code of Conduct](#)

[NDIS \(Provider Registration and Practice Standards\) Rules 2018](#)

[NDIS \(Quality Indicators\) Guidelines 2018](#)

[NDIS \(Incident Management and Reportable Incidents\) Rules 2018](#)

[NDIS \(Restrictive Practices and Behaviour Support\) Rules 2018](#)

[NDIS Practice Standards and Quality Indicators November 2021 Version 4](#)

[Work Health and Safety Act 2020 \(WA\)](#)

[Work Health and Safety Regulations \(General\) 2022 \(WA\)](#)

[Workers' Compensation and Injury Management Act 2023 \(WA\)](#)

[Workers' Compensation and Injury Management Regulations 2024 \(WA\)](#)

Other related documents

- | | |
|--|---|
| • iPlanit Cheat Sheet - Assignees | • Module 2 Specialist Behaviour Support Policy and Procedure Manual |
| • Advocacy Policy Easy Read | • Module 2A Implementing Positive Behaviour Support Policy and Procedure Manual |
| • Advocacy Policy and Procedure | • Personal Risk and Emergency Management (PREM) Plan |
| • Advocacy Services List | • Privacy Policy and Procedure / Easy Read |
| • Complaints and Feedback Policy and Procedure / Easy Read | • Protection of Participants Policy and Procedure |
| • Consent Policy and Procedure | • Responding to Alleged Misconduct Procedure |
| • Emergency and Disaster Management Policy and Procedure | • Rights Policy |
| • Identitywa Code of Conduct | • Safeguarding Children and Young People Policy / Procedure |
| • Internal Investigation Policy and Procedure | • Worker Incident Policy and Procedure |
| • Deceased Person Policy and Procedure | • Work Health and Safety Policy |
| • Duty of Care Policy | • Your Rights Policy Easy Read |
| • Maintaining A Culture of Safety Policy | |
| • Medication Incident Procedure | |
| • Medication Administration and Management Procedure | |
| • Missing Person Policy and Procedure | |

Do you need to know more?

If you have any questions regarding policies, procedures, and reviews or if you would like to be involved in our policy development program, please contact the Quality and Compliance Team on (08) 9474 3303.