

Consumer Related Reportable Incident Procedure for Tasmania's DHHS Funded Community Sector

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Overarching Policy:	Consumer Related Reportable Incident Policy for Tasmania's DHHS Funded Community Sector
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Approval

Prepared by		Senior Consultant - Quality and Safety		24 August 2017
Through		Manager - Community Sector Quality and Safety Team		28 August 2017
Through		Manager - Community Sector Relations Unit		30 September 2017
Cleared by		A/Deputy Secretary, Children and Youth Services		1 December 2017

Revision History

Version	Approved By Name	Approved By Title	Amendment Notes
Final		Deputy Secretary, Planning, Purchasing and Performance	

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Introduction

- The Department of Health and Human Services (DHHS) provides funding to community sector organisations to deliver high quality, safe services to Tasmanian consumers.
- It is recognised nationally and internationally that incidents occur in all health and human service systems. As such, community sector organisations have a responsibility to provide and maintain, as far as is reasonably practicable, a safe service-delivery environment.
- This procedure must be read in conjunction with the:
 - *Consumer Related Reportable Incident Policy for Tasmania's DHHS Funded Community Sector.*
- Reporting of Special Circumstances clause contained within the Funding Agreement and/or the Notice by Recipient of Adverse Matters clause in the Grant Deed between the Director of Housing and the Organisation.

Mandatory Requirements

In addition to the principles contained within the *Quality and Safety Framework for Tasmania's DHHS Funded Community Sector*, the *Consumer Related Reportable Incident Policy for Tasmania's DHHS Funded Community Sector* is based on the following principles:

- **Open disclosure** – consistent with a culture of no blame, errors are reported and acknowledged, and consumers and other relevant stakeholders are told what went wrong and why.
- **Emphasis on continuous quality improvement** – the recording and trending of reportable consumer related incidents is promoted in an environment that facilitates learning through a consistent approach to management and analysis.
- **Obligation to act** – the obligation to take action to remedy problems is clearly accepted and the allocation of this responsibility is unambiguous and explicit;
- **Accountability** – the limits of individual accountability are clear, individuals understand when they may be held accountable for their actions;
- **Natural Justice** – principles of natural justice and procedural fairness are adhered to in the management of reportable consumer related incidents;
- **Appropriate prioritisation of action** – action to address reportable consumer related incidents is prioritised and appropriately resourced;
- **Capacity Building** – resources that enable community sector organisations to develop procedures, staff education and service enhancements regarding reportable consumer related incident management are developed and distributed; and
- **Partnership** – collaborative reporting and management systems between community sector organisations and the DHHS are established and maintained.
- **Privacy and confidentiality** – information collected through the management of reportable consumer related incidents will adhere to the requirements of the Privacy Information Protection Act 2014 and the DHHS *Personal Information Protection statement*.

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Procedure

It is the policy of the DHHS that, in accordance with the *Quality and Safety Framework*, community sector organisations will:

- 1 Notify the relevant Departmental or Service Group of all reportable consumer related incidents within 24 hours, or the next working day, after immediately addressing the health and wellbeing of those involved and securing the scene of the incident;
- 2 have localised documented processes to support the effective implementation of the *Consumer Related Reportable Incident Policy for Tasmania's DHHS Funded Community Sector*;
- 3 have systems to appropriately manage all reportable consumer related incidents and ensure that they are progressed through open, responsive, fair and impartial processes;
- 4 take all reasonable steps to minimise the opportunity for occurrence / recurrence of all consumer related incidents;
- 5 investigate, identify and implement strategies that prevent or minimise the risk of incidents reoccurring, in a timely manner.
- 6 provide complete, comprehensive and consistent reporting to consumers on the management of all incidents, with the focus being to improve safety and quality; and
- 7 incorporate learnings from reportable incidents, as well as trended analysis, into the systems and processes of the organisation to enhance the quality and safety of services.

The requirements of the *Consumer Related Reportable Incident Policy for Tasmania's DHHS Funded Community Sector* and the associated procedure is complementary to the requirements detailed in:

- *Reporting of Special Circumstances* of the DHHS Funding Agreement between the organisation and the Crown; and
- Notice by Recipient of Adverse Matters clause in the Grant Deed between the Director of Housing and the Organisation

Roles and Responsibilities/Delegations

Effective incident management requires a whole of organisation approach with accountability for reporting and feedback at all levels. In partnership, the DHHS has the important role to engage with community sector organisations to promote the safety of consumers and service provision.

Community Sector Organisations and the DHHS

- It is expected that community sector organisations will have established organisational documentation that support the effective implementation of the *Consumer Related Reportable Incident Policy for Tasmania's DHHS Funded Community Sector* and:
 - ensure that all consumer related incidents are appropriately monitored and managed by:
 - prioritising the health and wellbeing of those directly affected in an incident;
 - restoring a safe environment as soon as possible following an incident;
 - minimising the opportunity for others to be exposed to the incident environment; and

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- notifying relevant stakeholders of the incident.
- notify DHHS of the reportable consumer related incident:
 - **verbally** within 24 hours, or the next working day; and
 - by **documented report** to the DHHS within two working days of the incident occurring. community sector organisations may utilise the *Reportable Incident Form (Attachment 1)* or their existing templates so long as the information requested on the *Reportable Incident Form* is provided.
- clearly identify who within the community sector organisation is accountable for ensuring that reporting occurs in accordance with the above timeframes.
- contribute to a culture that actively minimises the opportunity for incidents to occur;
- approach the management of incidents within a partnership framework;
- actively contribute to enquiry and/or investigation of incidents as required;
- participate in the implementation of recommendations as required;
- manage verbal and documented information according to legal obligations;
- in accordance with the funding instrument, allow any person authorised by the Secretary of the Department of Health and Human Services immediate access for the purpose of investigating any reportable consumer related incidents.

Operational and Departmental Groups

Departmental and Operational Groups will:

- as appropriate, provide support to community sector organisations in responding to the immediate safety and wellbeing of consumers in the event of a reportable consumer related incident;
- support the participation of community sector organisations in an enquiry and/or investigation, including, but not limited to:
 - establishing the facts surrounding the incident;
 - ensuring that an appropriate response has occurred; and
 - ensuring the organisation has informed all relevant authorities and stakeholders regarding the incident.

In some cases, the DHHS may require an external party to undertake an enquiry to maximise high level expertise and independence. This will be approached within a partnership framework and consistent with the principles of this Procedure.

- record information relating to the reporting, management and investigation of incidents in the Electronic Grants Management System (EGMS);
- monitor community sector organisations' compliance with the requirements of the *Consumer Related Reportable Incident Policy for Tasmania's DHHS Funded Community Sector*; ;
- adhere to the *Consumer Related Reportable Incident Policy for Tasmania's DHHS Funded Community Sector*; and

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- provide guidance to community sector organisations as required about how and when consumers and relevant stakeholders will be notified of the occurrence and consequences of the incident.

Key Definitions

- The Department of Health and Human Services (DHHS) refers to:
 - Departmental Groups that are responsible for the provision of corporate support services and system manager functions. The DHHS departmental Groups comprise Office of the Secretary, Corporate Policy and Regulatory Services and Planning Purchasing and Performance.
 - Operational Groups deliver essential public services to the public. The DHHS operational Groups include Ambulance Tasmania, Children and Youth Services, Housing, Disability and Community Services and Public Health Services.
 - Departmental and Operational Groups are further comprised of Units and Teams.
 - A Unit refers to the individual business area under each Departmental and Operational Group. For example, Purchasing and Performance and Disability and Community Services.
 - A Team refers to people assembled for a common purpose under each Unit.
- **Community Sector Organisations** – Any organisation that receives DHHS funding through a funding instrument for the provision of services to Tasmanian consumers.
- **Consumer** – a person who directly, or indirectly, receives services from a DHHS funded community sector organisation.
- **Funding Instrument** – the contract between DHHS and Community Sector Organisations. Types of contracts may be:
 - Funding Agreement between the Crown in the Right of Tasmania and the Organisation; and
 - Grant Deed between the Director of Housing and the Organisation.
- **Reportable Incidents** are events or circumstances that are **unexpected** and **unintended** that led to:
 - harm or suffering, loss or damage to a consumer **during an episode of service delivery** resulting in:
 - Death, injury or admission to hospital that is unrelated to the ongoing health and wellbeing of the consumer and different from the immediate expected outcome of case management.
 - Theft or misappropriation of consumer funds.
 - complete, or major, disruption to the provision of services to consumers resulting from:
 - An environmental event (fire, flood etc.) requiring:
 - evacuation and temporary or permanent closure; or

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- significant reduction in service.
- A major external review that recommends closure or reduction in service provision or resources; and
- Financial loss, as a result of theft or misappropriation, that has a serious impact upon the community sector organisation’s ability to provide services as described in the Funding Instrument.
- For the purpose of the Consumer Related Reportable Incident Policy for Tasmania’s DHHS Funded Community Sector a reportable incident is **not** an event that is:
 - expected or usual to a consumer’s ongoing health and wellbeing, presentation and / or behaviour;
 - one occurring to staff, volunteers, contractors or visitors;
 - an allegation, which is a claim that has not been tested or substantiated;
 - outside the context of services for which the community sector organisation receives DHHS funding; or
 - a complaint, either written or verbal, regarding service provision or support.

Related Documents/Legislation

- Funding Agreement between the Crown in the Right of Tasmania and the Organisation;
- Grant Deed between the Director of Housing and the Organisation;
- *The Quality and Safety Framework for Tasmania’s DHHS Funded Community Sector*;
- *Quality Governance Framework for Tasmania’s Public Health and Human Services Systems*
- *Australian Commission on Safety and Quality in Health Care*;
- *Australian Charter of Healthcare Rights*;
- *DHHS Corporate Plan 2016 - 2018*
- *Personal Information and Protection Act 2004*; and
- *Privacy Information Protection Act 2014*

Attachments

I **Reportable Incident Form**

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