

# **Music Rocks Australia Incident Management and Reportable Incidents Policy for NDIS participants**

## **Foreword**

The policies and system to support people with a disability who are provided services by Music Rocks Australia will be set out in this document to be adhered to by all staff, volunteers, and management. The system relates to the care and communication for incident resolution so that people with a disability and everyone associated with them, are cared for and looked after in a manner that directly demonstrates our mission for remarkable service delivery and the National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018 as set out by the Commissioner.

The schedule for incident management and reportable incidents are aimed to protect and prevent harm to people with disability and to uphold the rights of people with disability, to live free from abuse, neglect, violence, and exploitation. Importantly, supporting people with disability to understand how to make a complaint to the provider and to the NDIS Commissioner are at the forefront of Music Rocks communication and documentation.

In addition to addressing specific issues, the complaints system will enable Music Rocks to identify systemic issues and make improvements in the quality of our NDIS supports and services, ensuring Music Rocks Australia is responsive to the needs of people with disability through the timely resolution of incidents and promotion of continuous improvement as set out in the National Quality and Safeguarding Framework. Notification, investigation, and response to all reportable incidents will be the schedule, working effectively with the NDIS Quality and Safeguards Commissioner in our responses. Through early intervention and capacity building Music Rocks will prevent serious incidents.

## **Guidelines and Policy**

### **Scope**

Music Rocks Australia will implement and maintain a system to record and manage certain incidents that happen in connection with providing supports or services to people with disability. The incidents that must be recorded and managed are:

1. incidents that have, or could have, caused harm to a person with disability receiving supports or services; and
2. acts by a person with disability that happen in connection with the provision of supports or services and that have caused serious harm, or a risk of serious harm, to another person; and
3. reportable incidents that are alleged to have occurred in connection with the provision of supports or services.

Music Rocks Australia has simple delivery for service and safety applies to people with a disability using musical instruments and technology and everything associated with our teaching and transit systems.

## **Incident Management Procedure**

To ensure appropriate support and assistance is provided to any person involved in an incident, the procedures will vary, depending on the seriousness of the incident.

### ***Identification***

Incident identification will mostly be simple given, the majority of our NDIS participants are delivered services onsite at our MRA HQ facility. This is a building that has CCTV in every room and at any time about 9 months of footage from 24 hours recording is available for review. There are generally numerous members of staff onsite at any one time to assist with an incident. Almost all our NDIS participants will arrive with a one-on-one carer, parent, or someone close to them, who oversee our participant's care also. With key people always around, identification of an incident will likely to be obvious.

On occasion an incident may occur in transit to or from our venue. Upon arrival, participants and their carers will inform staff of what has happened and combined action to resolve the incident will occur. Music Rocks Australia staff will be always ready and responsive to what is happening in real time.

It may also be possible for an incident to be reported in retrospect, after it has occurred and ended. These reports by a carer, participant or the public can be in person, via phone, website, or email. These may be incidents that don't involve our staff or occur during our service delivery but involve our participants and our action may help resolution. The wellbeing of our participants sees all staff and volunteers ready to help and become involved in any issue that is of benefit for them whether it relates to our operation or not.

The clear line of communication for staff and the operations team at Music Rocks Australia will be to notify the Operations Manager of MRA of any incident reported to them. If an incident is reported via email or the Music Rocks website or phone, the Operations Manager will be accountable for action. For any incident deemed reportable or serious in nature, notification by the Operations Manager to the Director of Music Rocks Australia, Dean Blanchard will be immediate via email or phone. It is part of the Operations Manager's role to monitor emails and phone calls daily and to delegate those tasks in the event they cannot.

All reportable incidents will be sent to the NDIS Commissioner by the Director of Music Rocks Australia via the 'My Reportable Incidents Page' online. The timeframes for reporting included in this policy documentation adhere to those stated in the NDIS guidelines:

- Death of a person with disability -24 hours
- Serious injury of a person with disability - 24 hours
- Abuse or neglect of a person with disability - 24 hours
- Unlawful sexual or physical contact with, or assault of, a person with disability - 24 hours
- Sexual misconduct committed against, or in the presence of, a person with disability, including grooming of the person for sexual activity - 24 hours
- The use of a restrictive practice in relation to a person with disability if the use is not in accordance with a required state or territory authorisation and/or not in accordance with a behaviour support plan - Five business days

Reporting will be required even when Music Rocks has acted and responded to incidents in accordance with our own incident management system. Management of the reportable incidents will be managed and recorded through the online portal.

### ***Initial Assessment and Action***

Any incident during Music Rocks Australia service delivery has numerous people nearby or actively teaching and communicating with participants. Staff and volunteers will act accordingly in all situations for the safety and wellbeing of our participants with procedural fairness. This can occur in real time as an incident may arise.

When an incident is serious enough to cause physical harm, staff will do everything reasonably available to remove everyone from harm. In the event, someone is injured emergency services will be called and first aid administered if necessary. Any incident deemed serious will be deemed a reportable incident and staff members are then required to report the incident to the management team for the appropriate action as listed under *Reporting*.

Incidents of a less serious nature can be dealt with in real time by staff in quick discussion and agreement with participants and participant carers. Involving participants with advice from carers will be important. Quick action to resolve the incident is the aim without an incident occurring longer than need be, which may cause more harm to the participant. All vehicles and buildings are supplied with first aid kits to help with any minor injuries. Our buildings are appropriately signed with exits to prevent confusion for leaving the buildings and all fire and emergency logistics are in place as per building codes.

We understand that the affects of any incident upon a person with a disability may not be apparent or be communicable by them. This means that the course of action taken must allow for change at any time by the participant, account for a range of outcomes given a range of possible needs or emotions and always ensure the wellbeing of the person. This fact always requires the full attention of our staff, something that is part of our teaching systems anyway.

### ***Support***

Music Rocks Australia will provide support and assistance to persons with disability affected by an incident (including information about access to advocates such as independent advocates – this is a document that will be available to handed to a participant and shown in *Appendix E*), to ensure their health, safety, and wellbeing. Anything in real time that supports wellbeing will be undertaken by all staff and volunteers and obviously the response depends on the incident. Responsiveness to all requests and alleviate any suffering or discomfort will occur always. Importantly, being alert to prevent incidents and responsive to the needs of participants if an incident occurs will be how we operate.

The person with a disability affected by an incident will be involved in the management and resolution of the incident. This will occur in real time or with follow up discussions via phone or email by the management team. The outcome will always be that the person with a disability is satisfied with the resolution and that they have been heard during the process.

It will be recommended by everyone alerted to an incident that the person with a disability seek support from family, friend, or an independent advocate. An open dialogue will be established for all participants in any situation or event.

Constant updates on progress and action will be implemented as part of the resolution process of all incidents. This will be done as each step is taken for resolution. A Follow up with the person with a disability and those involved once resolution has been enacted will take place by the Operations Manager to ensure satisfaction and acknowledgment for the impacted person.

The corrective action plan for staff with the aim for prevention will be communicated with all involved, so that there is reassurance. All incidents will be discussed with all Music Rocks staff for learning and knowledge.

### **Reporting**

All incidents must be reported by staff or volunteers to the management team. If the incident is a reportable incident, the incident must also be notified and managed in accordance with the rules set out by the Commissioner. The person who is responsible for reporting incidents that are reportable incidents to the Commissioner will be the Director of Music Rocks Australia.

The incident management system includes the documentation and keeping of all records relating to an incident. This is done in a shared and appropriately titled and organized folder system for each incident type. A shared register of incidents that can be edited for all persons in real time is shown in *Appendix E*.

This policy and system will be sent upon enrolment via email to:

1. persons with disability receiving supports or services from the registered NDIS provider
2. each person employed or otherwise engaged by the registered NDIS provider
3. the family members, carers, independent advocates, and significant others of persons with disability receiving supports or services from the registered NDIS provider

The minimum details that will be recorded in relation to each incident that occurs will be:

1. a description of the incident, including the impact on, or harm caused to, any person with disability affected by the incident
2. whether the incident is a reportable incident
3. if known—the time, date, and place at which the incident occurred or (if not known), the time and date the incident was first identified
4. the names and contact details of the persons involved in the incident
5. the names and contact details of any witnesses to the incident
6. details of the assessment
7. the actions taken in response to the incident, including actions taken to support or assist persons with disability affected by the incident
8. any consultations undertaken with the persons with disability affected by the incident
9. whether persons with disability affected by the incident have been provided with any reports or findings regarding the incident
10. if an investigation is undertaken by the provider in relation to the incident—the details and outcomes of the investigation
11. the name and contact details of the person making the record of the incident.

A record made on the registry with the above information will be kept for 7 years from the day the record is made.

The associated handling processes for a reportable incident make it easy for a person with a disability or anyone else report an incident. This includes having the form to make a report easily accessible on our website ([www.musicrocks.com.au/NDIS](http://www.musicrocks.com.au/NDIS)), having that form sent to them via email upon their enrolment along with the service agreement and other documentation outlined for commencing service. The Incident Register (Appendix E) will be kept up to date and current. Appendix H – Reportable Incident Form, will be the main source for those reporting an incident and includes all applicable categories and circumstances, including work, health and safety and includes an option to anonymously report and information on how to send the report straight to the NDIS. Other options to help people with a disability who may struggle to fill in a form are also mentioned on the form.

It is important to note that NDIS reporting does not replace existing obligations to report suspected crimes to the police and other relevant authorities. Allegations will be treated as seriously and with the same processes for incidents that are known to staff and all people at Music Rocks Australia.

### ***Investigation and Assessment***

Music Rocks Australia will always establish the causes of a particular incident, its effect and any operational issues that may have contributed to the incident occurring, and the nature of that investigation. The investigation may lead to a result that requires corrective action and the nature of that action will be documented. The investigation and assessment will always consider the views of person with disability affected by the incident. The investigation into all incidents will be the responsibility of the management team.

The process for incident management will provide assess and act to resolve the following:

1. whether the incident could have been prevented
2. how well the incident was managed and resolved
3. what, if any, remedial action needs to be undertaken to prevent further similar incidents from occurring, or to minimise their impact
4. whether other persons or bodies need to be notified of the incident and report as necessary

A risk assessment will be conducted on the resolution of each incident within 3 months to assess whether the incident could be avoided and to provide training for staff and volunteers for the prevention of anything similar. This will be conducted to prevent both our NDIS participants and our staff.

### ***Continuous Improvement***

Review of the complaints register will take place by the management team at regular periods within a minimum quarterly review. The aim of this process will be to identify any systematic issues that may be giving rise to incidents or lack of service delivery. Identifying systematic issues will allow changes to be made for prevention and minimisation. The aim will be to have no incidents occur and already in seventeen years of service, no serious incident has occurred.

Implementing changes to transit and teaching systems will occur at our regular staff meetings and any training required to assist in performance by an external provider will be undertaken.

### ***Training***

Experience and action in the prevention and resolution of incidents will something that will be shared as a staff group at our meetings. Music Rocks Australia has a signed policy register (*Appendix F*) for staff to acknowledge that they understand and will comply with the policies as set out by the company for the safety and wellbeing of our participants. The register will be updated as staff leave and are hired. This ensures that:

1. The roles and responsibilities of any persons employed or otherwise engaged by Music Rocks Australia in identifying, managing, and resolving incidents and in preventing incidents from occurring
2. Each person employed or otherwise engaged by Music Rocks Australia must comply with the incident management system

3. The incident management system includes provision of training to any persons employed or otherwise engaged by Music Rocks Australia in the use of, and compliance with, the incident management system.

### **Reportable Incidents**

Music Rocks Australia will comply with all rules, requests and be responsive and helpful in reporting and resolving all serious and reportable incidents as set out by the Commissioner in Part 3, 4 and 5 of National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018