



LACHLAN SHIRE COUNCIL

SERIOUS INCIDENT RESPONSE

POLICY

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Further Information: Lachlan Shire Council ☎ 02 6895 1900 ✉ Email: council@lachlan.nsw.gov.au						
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1. BACKGROUND

The Serious Incident Response Scheme (SIRS) is aimed at reducing the risk of abuse and neglect of older Australians receiving aged care services. The SIRS establishes responsibilities for all Commonwealth funded providers of aged care, including approved providers under the Aged Care Act 1997 (the Aged Care Act) to:

- Prevent and manage incidents, focusing on the safety, health and wellbeing of consumers
- Use incident data to drive quality improvement
- Notify reportable incidents to the Aged Care Quality and Safety Commission (Commission) complement the Charter of Aged Care Rights (Charter), the Code of Conduct for Aged Care (Code), and the Aged Care Quality Standards (Quality Standards) and open disclosure requirements.

2. DEFINITIONS

Key Term - Acronym	Definition
Aged Care Quality and Safety Commission (the Commission).	The Commission independently accredit, assess, and monitor aged care services subsidised by the Commonwealth Government
Aged Care Quality Standards (the Standards).	Organisations providing Commonwealth-funded aged care services are required to comply with the Standards. Organisations are assessed and must be able to provide evidence of their compliance with and performance against the Standards
Aged Care Act 1997 (the Act)	Outlines the responsibilities of approved providers and the standards they must meet when delivering aged care services.
Commonwealth Home Support Program (CHSP)	The Commonwealth Home Support Program is an entry-level home support program that helps older Australians to live independently in their homes and communities. It also provides respite services to give carers a break.
Elder abuse	Physical, psychological, or emotional, sexual, or financial abuse of older Australians or intentional or unintentional neglect

Key Term - Acronym	Definition
Home and community aged care	This report refers to aged care services accessed in the home and community setting. This includes services delivered through the Commonwealth Home Support Program (CHSP), Home Care Packages (HCP) and Flexible Care delivered in home and community settings
Reportable incident	The current Serious Incident Response Scheme for residential aged 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 a residential aged care setting. Providers are required to notify the Aged Care Quality and Safety Commission of reportable incidents

3. SCOPE

This policy applies to all staff, contractors, volunteers and designated person/s including individuals and companies performing work for Lachlan Shire Council (LSC / Council) HACC, providing services to the aged care community. Where the word staff or employee is used it applies equally to all of the above.

4. OBJECTIVE

This policy is to provide guidance to the HACC Staff, contractors and volunteers with the implementation of the Serious Incident Response Scheme (SIRS), an Australian Government initiative. The aim of the initiative is to reduce the risk of abuse and neglect for people living, or staying, in a residential aged care home or (from 1 December 2022), receiving home care and flexible care in a home or community setting.

The scheme requires aged care providers to identify, record, manage, resolve, and report all serious incidents to the Aged Care Quality and Safety Commission (the Commission) that occur, or are alleged or suspected to have happened, in an aged care service.

The SIRS requires every aged care service to have in place an effective incident management system. This is a documented set of protocols, processes, and standard operating procedures. The incident management system is used to manage and respond to all incidents, and take steps to make sure they do not happen again.

The incident management system covers a broader range of non-reportable incidents and includes incidents that involve staff, contractors, volunteers or visitors.

5. POLICY IN BRIEF

This policy applies to 8 types of reportable incidents under the SIRS and are required to be lodged on the SIRS tile on the My Aged Care Provider portal:

- **Unreasonable use of force** – for example, hitting, pushing, shoving, or rough handling a person who receives aged care
- **Unlawful sexual contact or inappropriate sexual conduct** – such as sexual threats against a person who receives aged care, stalking, or sexual activities without consent
- **Neglect of a person who receives aged care** – for example, withholding personal care, untreated wounds, or insufficient assistance during meals
- **Psychological or emotional abuse** – such as yelling, name calling, ignoring a person who receives aged care, threatening gestures, or refusing access to care or services as a means of punishment
- **Unexpected death** – where reasonable steps were not taken by the provider to prevent the death, the death is the result of care or services provided by the provider or a failure by the provider to provide care and services
- **Stealing or financial coercion by a staff member** – for example, if a staff member coerces a person to change their will to their advantage, or steals valuables from them
- **Inappropriate use of restrictive practices** – such as:
 - where a restrictive practice is used without prior consent or without notifying the person's representative as soon as practicable
 - where a restrictive practice is used in a non-emergency situation, or
 - when a provider issues a drug to a person to influence their behaviour as a form of restrictive practice
- **Unexplained absence from care** – where the person is absent from the service without explanation and there are reasonable grounds to report the absence to the police

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

6. POLICY IN DETAIL

Lachlan Shire Council must maintain an incident management system, a set of processes and procedures used to prevent, manage, and respond to incidents.

This system should support an aged care provider and their staff to take appropriate action when there is an alleged, suspected, or witnessed incident.

Appropriate action includes:

- action to remove a person from harm and to reduce or address the impact on them
- identification and immediate internal reporting of the allegation, suspicion, or witnessed incident
- documenting the incident
- further investigation if warranted
- reporting to external authorities within statutory timeframes, including the police and the Commission.

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All aged care providers must notify the Commission about reportable incidents. The SIRS categorises incidents as either Priority 1 or Priority 2.

6.1 Priority 1

Aged care providers must report all Priority 1 reportable incidents to the Commission within 24 hours of them becoming aware of the reportable incident.

Priority 1 reportable incidents include those that cause, or could reasonably have been expected to have caused, physical or psychological harm and/or discomfort that would usually require some form of medical or psychological treatment, or where there are reasonable grounds to report the incident to police.

All reportable incidents involving instances of unexplained absence from care, unexpected death of a person who receives aged care, unlawful sexual contact, inappropriate sexual conduct, or where there are reasonable grounds to report the incident to the police, are always Priority 1 reportable incidents.

6.2 Priority 2

Aged care providers must report all reportable incidents to the Commission including Priority 2 reportable incidents.

Priority 2 reportable incidents are all those that do not meet the criteria for Priority 1. These must be reported to the Commission within 30 days of a provider becoming aware of the reportable incident.

7. ROLES AND RESPONSIBILITIES

Each of the following has specific assigned responsibilities under this policy:

- Manager Community services
- All HACC employees, contractors and volunteers

7.1 Manager Community Services

To maintain an incident management system that has processes and procedures in place that can be used to prevent, manage, and respond to incidents when they occur so that appropriate action can be taken, including reporting to the Commissioner and the police as required.

7.2 Employees, Contractors and Volunteers

All HACC employees, contractors and volunteers are responsible for recording and reporting any incident that has caused or had the potential to cause serious injury during an aged care service or program. A Serious Incident Report Form should be filled out and provided to the HACC office within 24 hours of the incident occurring so appropriate action can be taken.

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8. FURTHER INFORMATION

Further information about this policy and the management of SIRS can be obtained by referring to

- The Aged Care Quality and Safety Commission
- The Charter of Aged Care Rights
- The Code of Conduct for Aged Care
- Aged Care Quality Standards (Quality Standards)
- Aged Care Act 1997

Related LSC policies include:

- Code of Conduct

Nothing in this policy limits any applicable legislation.

9. RIGHT TO VARY

Lachlan Shire Council reserves the right to vary or terminate this policy at any time.

Greg Tory

GENERAL MANAGER

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