

Child FIRST and Family Services Policy and Practice Advice: Critical Client Incident Management Instruction 2011

Introduction

This policy and practice advice aims to assist organisations in understanding and carrying out their responsibilities in reporting incidents or alleged incidents that involve, or impact upon, clients who are receiving an integrated family service (IFS) response from their organisation. This advice is specifically designed for organisations funded to deliver Integrated Family Services (Activity 31245) and/or Integrated Family Services – Indigenous (Activity 31246).

It is to be read in conjunction with the overarching *Department of Human Services Critical Client Incident Management Instruction (instruction) 2011* which can be accessed from the website below:

<http://www.dhs.vic.gov.au/funded-agency-channel/about-service-agreements/incident-reporting/human-services>

1. Am I required to report critical client incidents?

All organisations that have a service agreement (or contract) with the Department of Human Services (the department), and are funded to deliver integrated family services (including Child FIRST and family services) are required to report critical client incidents, in accordance with the instruction. This requirement forms part of the organisation's service agreement with the department, as outlined in section 5.3 of the schedule.

The instruction applies irrespective of the type of organisation the funded activities are delivered by: community service organisation, community health centre, local government authority, Aboriginal community controlled organisation, culturally and linguistically diverse service, or a specialist or hospital based service.

2. How is a 'client' defined for the purpose of the instruction?

A client is defined as any unborn child, child, young person or adult member of a family, receiving a service under the funded integrated family services activities.

3. When I am required to report an incident?

DHS funded organisations delivering integrated family services **must report all category one incidents**, occurring at the service or during service delivery, which involve or impact on clients of the service. A category one incident is an incident that has resulted in a serious outcome such as a client death or severe trauma as outlined in the *Critical client incident management summary guide and categorisation table 2011*, which can be accessed from the website below:

http://www.dhs.vic.gov.au/_data/assets/pdf_file/0008/684710/criticalclientincidentssummaryguideandcategorisation-02-2012.pdf

The incident report must be completed as soon as possible and at the latest within one working day. Remember that the first action is to respond to the immediate needs of the people involved and re-establish a safe environment.

4. How is 'during service delivery' defined for the purpose of the instruction?

'During service delivery' means any time while a staff member is with a client of integrated family services including at the office or service outlet of an integrated family services funded organisation, the client's residence, another meeting place or whilst in transit.

It does not mean during the overall period of service (that is, between referral acceptance and closure). However there may be circumstances where a client incident report is required, even though it does not occur at the service or during service delivery (see section 5 below).

5. What about incidents that occur outside service delivery?

A client incident report may also be required for incidents that occur outside of service delivery, when the incident has a direct and obvious relationship to and impact on service delivery. This can include serious incidents that may be disclosed during service delivery.

Example one: a staff member has posted a comment on a social networking facility (such as Facebook) disclosing personal information about a client of integrated family services. This is a category one critical client incident, as a *breach of privacy/confidentiality matters*, even though the incident occurred outside service delivery.

Example two: the service purchases a second hand heater from ebay or accepts a cot donated from a charity group that is then given to a family to use. It later eventuates that the equipment is faulty/non compliant with Australian safety standards, and has contributed to the death of a child. This would be reportable as a category one incident despite the fact the incident occurred outside service delivery.

Example three: the service introduces a program that teaches clients with an intellectual disability cooking skills in a centre based environment. The client later returns home to practice the newly acquired skills but sustains third degree burns, requiring hospitalisation. In this case the incident may be reportable as a category one if the injury to the client is related to an identifiable deficit in the training program.

Remember, in each of these case examples, the focus must be on trying to build capability of the service in order to prevent the re-occurrence of similar incidences wherever possible, or reduce the negative impact of incidents that may occur in the future. Category one incidents for clients of integrated family services that occur outside service delivery and which directly impact on service delivery are not usual, though they are possible.

6. If the incident involves a child or young person who is a known, current child protection client and I have notified child protection of the event, am I still required to provide a critical client incident report?

Yes. If the incident relates to a child or young person who is a known, current child protection client, the organisation is required to both notify child protection and report the critical client incidents, in accordance with the instruction.

If as a consequence of the incident, there are concerns regarding the protection of the child and a re-report is made to child protection the organisation is also still required to report critical client incidents, in accordance with the instruction.

Regardless of whether there is concern for the protection of a child known to child protection, the organisation must:

- Firstly respond to the immediate needs of individuals involved and re-establish a safe environment.

- Inform the child protection case manager of the incident. For clients in the child protection intake phase, or for whom an allocated case manager cannot be identified, the organisation is to liaise with the relevant line manager (see Attachment 1).
- Complete the Client Incident Report Form (unless otherwise agreed) and submit the form directly to the designated Incident Reporting Fax Number, not via the child protection case manager. **In the event that child protection are also aware of the incident, then the organisation and child protection may negotiate as to who will proceed with reporting the incident.**

Further, where an incident involves the death of a child protection client, child protection will be responsible for notifying the relevant authorities, regardless of whether it is the organisation that first becomes aware of the incident.

7. If the critical incident relates to the protection of a child who is not a known, current client of child protection and a report is made to child protection, am I still required to report a critical client incident?

Yes, all category one critical client incidents are to be reported, regardless of a report being made to child protection. **Note though that a critical client incident is not required for all reports to child protection.**

If the incident relates to the protection of a child or young person, who is not a known or current client of child protection, the Child FIRST/integrated family services worker is required to consult with the community based child protection worker in the first instance, prior to making a report to child protection, unless there are specific circumstances such as an urgent matter that requires an immediate response from child protection (*Child Protection and Integrated Family Services State-wide Agreement (Shell Agreement) 2010*). If it is believed, on reasonable grounds, that the child or young person is in need of protection, a report is to be made to child protection.

8. How is a client's privacy protected when information is shared with the department?

Clients should be notified that information is being collected for purposes of service improvement and to try and prevent similar incidents from occurring in the future. Information sharing protocols, as outlined in the *Critical Client Incident Management Instruction 2011* are in accordance with legislative requirements.

Each organisation is required to maintain an incident register or database to record incident reports. Appropriate safeguards must be in place when transmitting and storing information.

9. What if there is a disagreement about whether the event is classified as a category one reportable incident?

It is not feasible to list every possible incident type, and it is expected that senior staff will use their professional judgement in considering the sensitivity and appropriate grading of an incident. Please refer to section 6 of the instruction for factors to consider in determining whether an incident is reportable.

It is important to remember that while a critical client incident may not be reportable (or fall within the scope of the instruction), an organisation may continue to have a legal responsibility, or duty of care, to report the incident through other reporting mechanisms and/or to take formal action, for example to notify police, to address occupational hazards or to review a client's case plan.

10. Who can I contact for further information or advice?

Please contact your regional Program and Service Adviser for further information. Alternatively, you can access further guidance from the Funded Agency Channel.

Attachment 1:

Integrated Family Services Incident Reporting Requirements

