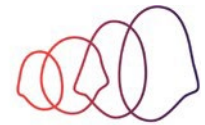



CRITICAL, SERIOUS & NOTIFIABLE INCIDENTS



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Topic: Critical, Serious and Notifiable Incident Policy
Responsible: Chief Executive Officer
Location: TSH Intranet
Approved by: Chief Executive Officer **Signature:** 
Review Date: 2 years from procedure approval date or as and when required

Effective Date:	April 2024	Review Date:	April 2026	Policy Version:	V8
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1. AIM and OBJECTIVE

This Policy sets out how TSH manages critical, serious and notifiable incidents.

2. GUIDELINES STATEMENT

TSH, the CEO and members of the Senior Leadership Team are responsible for management of on-site and off-site TSH related critical, serious and notifiable incidents. The intention is to minimise trauma and distress to children, clients, students, staff and parents, and to ensure the normal therapy, audiological, teaching and learning programs of TSH is maintained or resumed.

The intention is to also ensure that the relevant authorities, such as the Department of Education, WA Ombudsman, WorkSafe and the Department of Communities, are notified following the correct processes.

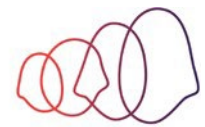
3. SCOPE and APPLICATION

This policy applies to all staff and volunteers of TSH.

For Issues relating to mandatory reporting of child abuse or grooming in schools please refer to the Mandatory Reporting Policy.

4. RELATED LEGISLATION and DOCUMENTATION

Work Health and Safety Act 2020 (WA) and associated regulations
Privacy Act 1988
National Disability Insurance Scheme Act 2013



National Quality and Safeguarding Framework
United Nations Convention of the Rights of Persons with a Disability
National Principles for Child Safe Organisations
The NDIS Code of Conduct
NDIS Quality and Safeguards Rules
Parliamentary Commissioner Amendment (Reportable) Act 2022
TSH Code of Conduct
Disciplinary Policy
Mandatory Reporting and Child Welfare Policy
Workplace Health and Safety Policy

5. DEFINITIONS

CRITICAL INCIDENT means any incident in which there is a high likelihood of traumatic effects. A critical incident evokes unusual or unexpectedly strong emotional reactions which have the potential to interfere with the ability of the individual, group or system to function either at the time or later.

Examples of critical incidents include:

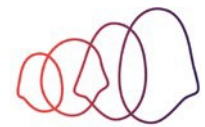
- Accident leading to major injury or death;
- Loss of life;
- Medical emergency;
- Fire or explosion;
- Natural or physical disaster;
- Child abduction or children gone missing;
- Child abuse;
- Sexual abuse;
- Drugs;
- Intruders;
- Weapons;
- Bomb threat;
- Threat of physical violence or other behavior that is a significant threat to the risk of a person;
- Actual physical violence;
- Major act of vandalism or burglary (causing major interruption to the school).

Critical Incident also encompasses an incident classified as Notifiable Incident (as required by the Department of Communities), and Reportable Incident (as required by the NDIS Commission).

NOTIFIABLE INCIDENT, as defined by the Department of Communities, means any of the following:

- The occurrence of a critical incident;
- Where a Service User causes or contributes to injury, illness or death of any person, or poses a serious risk to the health, safety or welfare of any person;
- Any referral of any matter of complaint regarding any Service User, the Services or the Service Provider generally, to any regulatory or investigative body;
- The charging of the Service Provider or an Associate with a criminal offence involving a sexual offence, dishonesty or breach of trust which otherwise may result in imprisonment of that person; and

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- Serious written or verbal complaints received in relation to the Service or in relation to the Service Provider generally.

For our school programs a Notifiable Incident covers the following circumstances:

- The death of a student, staff member or visitor who is at school or during a school-related activity or following an incident at school or during school-related activity.
- An actual or potential serious injury, illness, or trauma that has a significant, negative impact on a student, staff member, or visitor who is at school, that occurs during a school-related activity, or as a result of an incident at school or a school-related activity.
- An incident requiring a police or other emergency services response when a student appears to have been taken or removed from the school or from a school-related activity without proper authority or goes missing and cannot be accounted for.
- An incident requiring the school to be locked down or to evacuate staff and students, or reduce the number of students or staff attending, or to close for any duration for health or safety reasons.
- The receipt of a complaint or allegation of child abuse, including but not limited to sexual abuse, committed against a student –
 - (a) by a staff member or another student; or
 - (b) by another person on the school premises or during a school related activity; whether the abuse is alleged to have occurred recently or in the past.
- Issuing a formal warning, a suspension or ceasing the employment of a staff member for a breach of the school's Code of Conduct suspected to have involved grooming behavior.

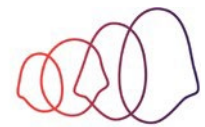
Notifiable Incidents under the Reportable Conduct Scheme

The reportable conduct covered by the Scheme includes:

- A sexual offence committed against, with or in the presence of a child.
- Sexual misconduct against, with or in the presence of a child that is not a sexual offence. This can include grooming behaviour, sharing pornographic material and inappropriate discussion of sexual behaviour.
- Physical assault (the intentional or reckless application of physical force without justification or any act that causes another person to apprehend immediate violence) against, with or in the presence of a child. This includes the use of actual physical force as well as threatening to physically harm a child through words and/or gestures.
- Other prescribed offences.
- Significant neglect of a child
- Any behaviour that causes significant emotional or psychological harm to a child.

6. REPORTABLE INCIDENTS IN THE NDIS

Under the NDIS TSH must **notify the NDIS Commission of all reportable incidents** (including alleged reportable incidents) that occur (or are alleged to have occurred) in connection with the provision of NDIS supports or services TSH delivers.



For an incident to be reportable, a certain act or event needs to have happened (or be alleged to have happened) **in connection with the provision of supports or services**. This includes:

- the death of a person with disability.
- serious injury of a person with disability.
- abuse or neglect of a person with disability.
- unlawful sexual or physical contact with, or assault of, a person with disability
- sexual misconduct, committed against, or in the presence of, a person with disability, including grooming of the person with disability for sexual activity.
- 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.

7. NOTIFIABLE INCIDENTS TO WORKSAFE WA

Any critical incident involving the harm or death of a staff member must be reported to Worksafe. Further information on what is a notifiable incident under the Work Health and Safety Act 2020 can be found in the [Incident notification - guide \(www.wa.gov.au\)](http://www.wa.gov.au)

8. CRITICAL INCIDENT TEAM

The Critical Incident Team will comprise of, at least, the CEO, the relevant Head of Department (e.g. the Principal) and the Head of Marketing and External Relations. The CEO can invite others to be part of the Critical Incident Team. Where an accident relates to the alleged conduct of an employee, the matter will be investigated as outlined in the TSH Disciplinary Policy.

9. PREVENTING CRITICAL INCIDENTS

TSH is committed to ensuring a safe environment for the children, clients, families, staff and partners it works with. We will take a range of measures to prevent, prepare for, avert and/or respond to critical incidents. Using our risk management frameworks, as per the Risk Management Policy, effective communication and involvement of key stakeholders TSH seeks to prevent all critical incidents. However, we do recognise that critical incidents may occur and, if they do, we have obligations to children, families, staff, stakeholders and the community to effectively manage and report them.

10. REPORTING CRITICAL INCIDENTS

All critical incidents (including notifiable or reportable) will be dealt with in accordance with our values, our ethical standards and our reporting obligations.

All critical incidents must be dealt with quickly and appropriately by the CEO, SLT and relevant staff. If deemed to be a reportable Critical and Emergency Incident, the CEO is required to report to the Board and the Director General of the Department of Education as soon as practical and in any event within **48 hours**.

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Notification to the Director General is via the completion and submission of the approved online Critical Incident Report. Please refer to attached form. [<Link>](#) This notification is additional to the reportable conduct scheme notification process detailed in the Mandatory Reporting and Child Welfare Policy.

Reference should be made to the flowchart below.

For all critical incidents relating to children enrolled in our schools programs, reports must be made to relevant government agency/ agencies by using the appropriate Critical and Emergency Incident Report form. The reporting of child abuse or grooming must be done in accordance with the Mandatory Reporting Policy.

For children who are enrolled in our schools program who are also receiving funding from the Department of Communities then a report will also be made to that agency using the Department of Communities Serious Incident Report form.

For our NDIS related programs, when a reportable incident occurs, or is alleged to have occurred in connection with the NDIS supports or services you deliver, you must notify NDIS using the [NDIS Commission Portal](#) within the required timeframes). The timeframes are calculated from when a registered NDIS provider became aware that the incident occurred, or was alleged to have occurred. Reporting is required even when you have acted and responded to incidents in accordance with your own incident management system. Failure to report within the statutory timeframes is a contravention of the NDIS Act and could lead to infringement notices or other compliance actions. Timelines are 24 hours for all NDIS reportable incidents, other than the use of restrictive practices, which is 5 days.

For critical incidents relating to all other TSH clients, the Department of Communities Incident Report form must be used.

It is the responsibility all staff to report critical incidents. It is the responsibility of the CEO to ensure the relevant agency / agencies are notified. It is also the responsibility of the CEO to inform the TSH Board Chair as soon as practicable after a critical incident occurs.

The CEO or Principal will liaise with parents of children for whom a critical incident has occurred.

Critical Incident Register

It is the responsibility of the CEO to maintain an up to date Critical Incident Register for the organization. It is also the responsibility of the CEO to inform the Board of any additions to the Critical Incident Register.

Media and Critical Incidents

Any comments to the media regarding any critical incident shall be made only by the CEO or a person delegated by the CEO.

Post Incident Care

TSH cares for all of its staff and the families accessing its services. In the event of a critical incident, the CEO, Principal or person delegated by the CEO will work with staff in the relevant area, offering them debriefing opportunities, access to relevant support, and/or post-event contact. Parents involved in a critical incident can also be provided with the same opportunities, as determined by the CEO or Principal.

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11. SUPPORT SERVICES

The following services and organisations can provide help, advice and support to staff and families:

EAP service provider

Uprise – 1300 208 971

Email – team@uprise.co

Kids Helpline - 1800 551 800

This is a free and confidential telephone counselling service for 5- to 25-year-olds in Australia available 24 hours a day, 7 days a week,

Headspace – 1800 650 890

Support services for young people with mental health, physical health (including sexual health), alcohol and other drug services, as well as work and study support.

Lifeline Australia – 13 11 14

This service operates 24 hours a day, 7 days a week and can provide information about other support services, if required.

Perth Children Hospital – 6456 2222

Child and Adolescent Mental Health Services – 1800 220 400

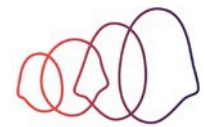
State Child Development Centre – 9481 2203

12. POLICY UPDATES

This policy may be updated or revised from time to time. TSH will notify all staff each time the policy has been updated. If you are unsure whether you are reading the most current version, you should contact the CEO or Principal.

Originated	Version 1	November 2014
Updated	Version 2	April 2015
Updated	Version 3	September 2015
Updated	Version 4	October 2018
Updated	Version 5	May 2019
Updated	Version 6	September 2019
Updated	Version 7	August 2021
Updated	Version 8	July 2022
Updated	Version 9	April 2024

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Critical & Emergency Incident Response and Crisis Management Flow Chart

