



PARTICIPANT INCIDENT MANAGEMENT POLICY

The purpose of this procedure is to provide guidelines for reporting, investigating and applying appropriate control measures when an accident or near miss occurs.

Policy

Calming Waves Support Services Australia Pty Ltd has a moral, ethical and legal responsibility to ensure all participants are safe and takes proactive steps to protect them from harm.

Calming Waves Support Services Australia Pty Ltd's incident management system identifies, assesses, manages and resolves incidents that occur in connection with providing supports or services to a person or child with disabilities and have, or could have, caused harm to them. The system is appropriate to the business' size and the classes of NDIS support the organisation provides.

Calming Waves Support Services Australia Pty Ltd will provide support and assistance to people and children with a disability affected by an incident (including information about access to advocates such as independent advocates), to ensure their health, safety and wellbeing.

Definitions

Abuse – Verbal, physical and or emotional mistreatment and or lack of care of a person. Examples include sexual abuse and any non-accidental injury.

Child abuse - An act or omission by an adult that endangers or impairs a child's physical and/or emotional health and development. Child abuse can be a single incident but often takes place over time. Abuse, neglect and maltreatment are generic terms used to describe situations in which a child may need protection.

Racial, cultural and religious abuse - Conduct that demonstrates contempt, ridicule, hatred or negativity towards a person because of their race, culture or religion.

Sexual abuse - When a person uses power or authority over another person (including a child), or inducements such as money or special attention, to involve the other person (or child) in sexual activity. It includes a wide range of sexual behaviour from inappropriate touching/fondling of another person/child or exposing a child to pornography, to having sex with a child or with a non-consenting adult.

Bullying - Repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying occurs when one or more people deliberately and repeatedly upset or hurt another person, damage their property, reputation or social acceptance.

Child protection - The term used to describe the whole-of-community approach to the prevention of harm to children. It includes strategic action for early intervention, for the protection of those considered most vulnerable and for responses to all forms of abuse.

Disclosure (in the context of this policy) – A statement that a child or person makes to another person that describes or reveals abuse.



PARTICIPANT INCIDENT MANAGEMENT POLICY

Discrimination – Treating a person less favourably than others in similar circumstances because of a personal attribute that has no relevance to the situation.

Impact – the level of harm to a participant because of an incident.

Incident – also 'Participant Incident' - An event or circumstance that occurs during service delivery, which results in harm or has the potential to harm a participant.

Incident Investigation - a formal process of collecting information to ascertain the facts relating to an incident, which may inform any subsequent criminal, civil penalty, civil, disciplinary or administrative sanctions. Investigations may be carried out by service providers, the Department of Health and Human Services or external investigators. In the context of this policy, an incident investigation is an investigation into an allegation of abuse, poor quality of care or unexplained injury of a participant, undertaken or commissioned by Company.

Duty of care - Duty of care refers to the responsibility Calming Waves Support Services Australia Pty Ltd must provide its participants with an adequate level of care and protection against foreseeable harm and injury.

Neglect - The failure to provide a vulnerable person with the necessities of life, such as food, clothing, shelter, medical attention or supervision, to the extent that the person's health and development is, or is likely to be, significantly harmed.

Negligence - Doing or failing to do something that a reasonable person would or would not do in a particular situation and which causes another person damage, injury or loss as a result.

Offender/Perpetrator - a person who mistreats and/or harms another person or child.

Reportable Incident:

- **the death** of a person or child with disability.
- **serious injury** of a person or child with disability.
- **abuse or neglect** of a person or child with disability.
- **unlawful sexual or physical contact** with, or assault of, a person or child with disability.
- **sexual misconduct** committed against, or in the presence of, a person or child with disability, including grooming for sexual activity; or the use of a restrictive practice in relation to a person or child with disability, other than where the use is in accordance with an authorisation of a State or Territory in relation to the person.