



**Notifiable Incident Reporting
Guidelines**
**For use by: Alcohol and other Drug
Service Providers for Mental Health
Commission purchased services**

These Guidelines outline the requirements for Alcohol and other Drug (AOD) Service Providers funded by the Mental Health Commission (MHC) to report notifiable incidents to the MHC in a reasonable timeframe. Additionally, these Guidelines provide information on completing the Notifiable Incident Form (NIF) that has been created specifically for all AOD services funded by the MHC.

1. Reporting requirements

- 1.1. All AOD Service Providers funded by the MHC are required to notify the MHC of any Notifiable Incidents.
- 1.2. The reporting requirement of Notifiable Incidents is included in the General Provisions [General Provisions for the Purchase of Community Services by Public Authorities \(2012\)](#) which forms part of every AOD Service Provider's service agreement with the MHC.
- 1.3. In addition to Notifiable Incidents reporting, AOD Service Providers are subject to the reporting requirements outlined in each individual MHC service agreement and the General Provisions.

2. Definition of Notifiable Incidents

The MHC acknowledges that, due to the complexity of AOD services, further clarification is required regarding the definition of Notifiable Incidents in the General Provisions.

- 2.1. For the purposes of reporting Notifiable Incidents to the MHC, Notifiable Incidents refer to: those events or circumstances covered by the General Provisions definition of Notifiable and Serious Incidents;
- 2.2. As defined in the General Provisions, a Notifiable incident means any of the following:
 - a) the occurrence of a Serious Incident;
 - b) 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 (where the events or circumstances are reasonably considered unexpected and/or outside of normal/usual practice);
 - c) any referral of any matter or complaint regarding any Service User, the Services or the Service Provider generally, to any regulatory or investigative body; (for service users: events or circumstances that are reasonably considered unexpected and/or outside of normal/usual practice).
 - d) the charging of the Service Provider or an Associate with a criminal offence

involving a sexual offence, dishonesty or breach of trust or which otherwise may result in imprisonment of that person;

- e) serious verbal or written complaints received in relation to the Service or in relation to the Service Provider generally; and
- f) the occurrence of any event which may cause adverse publicity including but not limited to if the Service Provider is contacted by the media for comment on any aspect of the Services or involving a Service User.

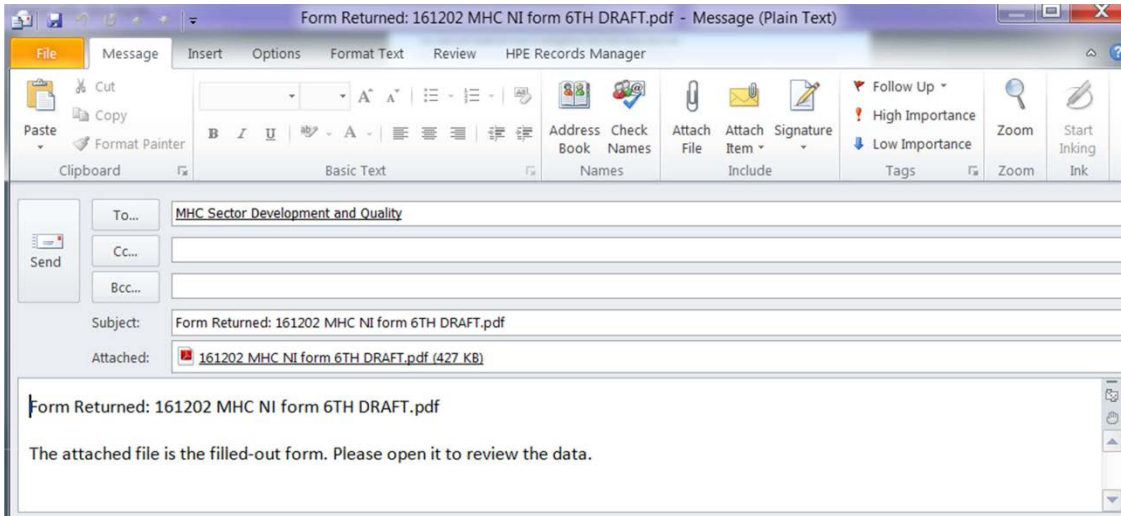
2.3. A Serious Incident is defined in the General Provisions means an event which:

- a) results in or is likely to result in injury, illness or death of a Service User or Other Service Recipient or compromises the safety or welfare of a Service User or Other Service Recipient; or
- b) causes or is likely to cause a serious risk to the health, safety or welfare of a Service User or Other Service Recipient,

where such event involves an actual or perceived breach of duty of care of the Service Provider.

3. Reporting Procedure for Service Providers

- 3.1. All Service Providers should report Notifiable Incidents as defined above to the MHC as soon as is practicable, ideally within 72 hours. In the case of the confirmed death of a Service User, reporting should be within 24 hours.
- 3.2. All Service Providers should use the NIF to report Notifiable Incidents via email to quality@mhc.wa.gov.au. The form can be downloaded from the MHC's website.
- 3.3. The NIF is a writable PDF that is password protected to ensure the security of the information whilst using email.
- 3.4. When the NIF is completed, press the 'SUBMIT FORM' button which will create an email with the form as an attachment.
- 3.5. If you wish to email to another address (colleague) before sending the final NIF into the MHC, you can replace the MHC email address with the alternative email address. Following the second person's input into the form, the 'SUBMIT FORM' button can be used again to create the MHC email.



- 3.6. An accountable authority from the Service Provider must endorse the NIF before it is sent.
- 3.7. If the matter is urgent, then the Service Provider must inform the MHC by telephone as soon as practicable and prior to submitting the NIF.
- 3.8. PLEASE NOTE: If you are having trouble using the 'SUBMIT' button - please ensure your internet is set to 'Internet Explorer' and not 'Chrome' as Chrome has issues reading some PDF functions at times. Otherwise you can load it manually as detailed on the NI Form.
- 3.9. If you need further clarification, please contact your MHC Contract Officer or email quality@mhc.wa.gov.au

4. Investigation and follow up

- 4.1. Following the receipt of the NIF, the MHC Contract Officer may follow up with the Service Provider to obtain further information and/or provide recommended actions the Service Provider should complete to avoid further incidents occurring. This may occur through a face to face meeting, email or telephone call, as appropriate for the situation.
- 4.2. If follow up is required for Integrated Services, the Contract Officer may request to see the Integrated Notifiable Incident Review report and recommendations undertaken with Next Step.
- 4.3. Dependent on the nature of the Notifiable Incident, if deemed appropriate, a formal investigation into the practices of the Service Provider may be warranted. The Service Provider will be formally advised of this course of action.
- 4.4. If an investigation is necessary, an independent investigator will be engaged by the MHC to carry out the investigation. The independent investigator will compile a report of their findings including any recommended actions and timeframes for implementation. A copy of the report will be provided to both the Service Provider and the MHC.

- 4.5. The occurrence of a Serious Incident will result in an Event of Default as per the [General Provisions for the Purchase of Community Services by Public Authorities \(2012\)](#).
- 4.6. If an Event of Default occurs then the MHC may, after notice to the Service Provider, withhold service payment or terminate the Service Agreement.

5. Implementation of recommendations from investigation (if applicable)

- 5.1. The MHC Contract Officer will discuss and clarify the recommendations from the report with the Service Provider.
- 5.2. The Service Provider will be required to provide a written report outlining the completed implementation of the recommendations to the Contract Officer. Extensions to the timeframe allocated to any recommendations are unlikely in these circumstances. If this is sought, the Service Provider will be required to make the request in writing to the Commissioner for approval.
- 5.3. If the recommendations have not been adequately implemented, follow-up actions will be identified by relevant MHC staff (and other stakeholders if appropriate) until a satisfactory resolution is reached.