

## COMPETENCIES

7 / 10

Communication

8 / 10

Critical Thinking & Decision Making

9 / 10

Accountability

3 / 10

Teamwork & Collaboration

8 / 10

Leadership

## SCOPE

This guideline applies to the provision of paid support services in the community. They are relevant Australia-wide or when a client is travelling overseas with their Australian team of support worker/s.

## DISCLAIMER

*This guideline is provided to help guide best practice in the disability, aged care and community support industry. This information does not in any way replace legislative, regulatory, or contractual requirements. Users of this document should seek appropriate expert advice in relation to their circumstances. ACIA does not accept any liability on the use of this guideline.*

## PURPOSE

This guideline is to assist:

ACIS Certified Service providers (organisations), ACIA Members, Certifying Bodies, stakeholders and funders in the actions required when any mismanagement, complaint, serious adverse event or incident is identifying with or without media attention.

## DESIRED OUTCOME

- To maintain a quality and safe standard of service delivery to clients.
- To maintain the reputation and integrity of the ACIS, Scheme and ACIA Membership.

## BACKGROUND

- There are occasions where complaints, serious events and incidents against both ACIS certified organisations and/or ACIA members that have the potential to undermine the intent of the quality framework of ACIS or the ACIA membership code of conduct. This guideline provides a framework to the way in which these situations will be managed.

# DEFINITIONS & SUPPORTING INFORMATION

**ACIA** is the Australian Community Industry Alliance and owner of ACIS and the scheme

**ACIS** is the Australian Community Industry Standards

**ACIS Certified Provider** is a community service organisation that has been certified in complying with all the ACIS by an ACIA trained ACIS auditor.

**Certifying Body** is an organisation that awards credentials to individuals meeting specific competence requirements

**Funding Body** is an organisation or department that provides funds for a purpose.

## **Serious Adverse Event/ Serious Reportable Incident:**

- Death or a serious injury sustained by a Client, Personnel, family or community member as a result of actions by any of these people that arises during the service provision by the Service Provider;
- Abuse or neglect of a person receiving supports;
- Unlawful sexual or physical contact with, or assault of, a person receiving supports;
- Sexual misconduct committed against, or in the presence of, a person receiving supports, including grooming of the person for sexual activity; or
- The use of a restrictive practice in relation to a person receiving supports, other than where the use is in accordance with an authorisation (however described) of a State or Territory in relation to the person.
- A situation where a report is made by the Service Provider to relevant the government authority where a child or children are at risk of harm;
- Any issue affecting the Service Provider that could result in an impact to the ACIS brand including a potential or actual negative effect on ACIAs reputation or operations, for example as a result of media coverage;
- Significant organisational disruption, mismanagement, or change in ACIS Certification status affecting the Service Provider; and
- The Service Provider's ongoing financial viability is of concern.

**Senior Management Representative/ Key Personnel**-Chairman of the Board, Chief Executive Officer or designated senior executive manager

# GUIDELINE

Where there is a complaint, serious event or serious incident involving an ACIS Certified provider with or without media attention, the Certifying Body and ACIA will be notified by the organisation.

The Certifying Body will contact the Organisation's Senior Management Representative/ Key Personnel to investigate the matter and where indicated will conduct a short notice audit that shall include at the minimum an on-site audit of the provider, including interviews with the Senior Management Representative of the organisation.

The interviews shall document;

- Management's awareness and views of the allegations;
- What action or actions have been or will be undertaken as a result of the complaint/ event /incident, if any;
- If the complaint/ serious incident/event relates to a suspected criminal matter (e.g., abuse or neglect), confirmation that the provider has notified the police of the incident, as early as practicable. If the provider has not notified the police (or similar authorities) of the incident, then the certification body shall notify ACIA as soon as practicable.

A decision based on the above may be made by the Certifying Body to suspend certification until the matter has been properly investigated. Where ACIS certification is a requirement of a funding contract the organisation should advise the funding body as soon as possible of the certification suspension.

The certification body and ACIA shall continue to undertake all necessary evaluation activities to confirm that the existing certification remains appropriate.

If the criteria for both restoring the suspended certification and satisfactorily closing the complaint or serious event are met, the certified organisation and the certification body shall jointly prepare media release for ACIA's consideration that specifies the following:

- The allegations made, including dates and media organisations (if involved);
- Action taken to investigate the substance of the allegations;
- Whether there are relevant investigations occurring; and
- Whether the substance of the allegations could be confirmed in part or whole, or otherwise.

The actions being taken by the provider to effectively address these matters in the immediate term, and the actions being taken to prevent these reoccurring in future are taken into consideration as evidence.

If a joint media release is required it shall not be issued until ACIA has been afforded the opportunity to comment. The joint media release should normally be issued within four weeks of the decision to continue certification.

If the criteria for one or both of restoring the suspended certification and closing the complaint or serious event are not met within three months following publication of the allegations, then the certification shall be withdrawn.

Upon withdrawal of certification, the Certification Body shall work with ACIA to issue a joint (co-badged) media release noting that the certificate has not been restored, and to contact ACIA if any affected party would like further information. The joint media release shall be issued no later than four weeks following withdrawal of certification.

Any subsequent certification application from the provider shall be regarded as an initial application.

When there is disagreement with the outcome decided, despite parties working cooperatively to resolve the situation, the matter can then be referred to the ACIA appeal process. This will involve the matter to be addressed to the attention of the ACIA President/ Chairman for resolution by the ACIA Board.

# RESOURCE DOCUMENTS

- External ACIA Guidelines 002 – Care and Service Provision in the Community
- External ACIA Guidelines 019 – Responding to Adverse Events
- External ACIA Guidelines 020- Complaints Handling
- External ACIA Guidelines 021 – Statement on Quality of Care and Service Delivery
- ACIA Code of Conduct
- The Australian Community Industry Standards
- The Australian Community Industry Certification Scheme
- NDIS Quality and Safeguards Commission Standards
- National Disability Insurance Scheme (Complaints Management and Resolution) Rules
- ISO/IEC 17065:2012, Conformity assessment – Requirements for bodies certifying products, processes and services.
- ISO/IEC 19011:2011, Guidelines for auditing management systems
- Complaints – Internal Complaints Processes, Australian Human Rights Commission