

# Incident Management Policy and Procedure

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<b>Signed:</b>	Samantha Norgate

## Introduction

Responding appropriately to incidents or circumstances that have caused or may cause harm to service users, staff, including contracted staff, or visitors is a key part of the way that Banquo Limited will continually improve the safety of the services that it provides.

An incident reporting, management and investigation process is essential to ensuring that Banquo Limited responds to and learns from incidents, and this policy lays out the process which facilitates the recognition, management and investigation of incidents in a way which enables learning and the minimisation of future harm or loss within the organisation.

This policy includes the principles of 'Being Open' and the 'Duty of Candour' (***As per Banquo Limited's Duty of Candour Policy and Procedure***), which ensures that effective communication with service users and/or their advocates, families or representatives is central to the incident management and investigation process.

This policy also recognises the importance of Banquo Limited supporting learning rather than a blaming culture to promote service user safety and staff development.

## Aim

The aim of this policy is to outline the procedure by which all Incidents and Serious Incidents (SIs) within Banquo Limited will be reported, and managed.

In outlining this procedure, the policy sets out Banquo Limited systems, processes, and expectations in relation to incident reporting and learning to include the:

- Process for reporting all incidents involving staff, service users, and others.
- Process for ensuring communication is open, honest, occurs as soon possible and is well documented.
- Process for reporting to external agencies.
- Process for investigating incidents according to level of risk.
- Support available to staff who are involved in or witness to a serious incident.
- Process for involving and communicating with internal and external stakeholders to share lessons.
- Process by which the organisation ensures local and organisational learning and changes in practice resulting from individual incidents and aggregated analysis.

- Process for the aggregated analysis of incidents, complaints, and claims.
- Governance in place and process for providing assurance to the Director that appropriate actions are being taken, that lessons are being learnt, shared and improvements made to both care and service delivery following the occurrence of an incident.
- Training requirements for staff.

## **Scope**

The policy applies to all staff employed within the organisation (permanent, temporary, or honorary), students, volunteers, contractors, and employees of other organisations working on the premises.

## **Roles And Responsibilities**

**Robert Gray currently holds the position of Managing Director for Banquo Limited.**

The Managing Director is responsible for

- Ensuring arrangements are in place to effectively manage and learn from incidents as part of the risk management approach.
- Ensuring that an effective risk management system is in place within the organisation of which incident reporting forms one element.
- Responsible for ensuring the review of all service related and incidents, including near misses.
- Ensure that incidents that are reportable to external authorities are reported correctly
- Critically analysing the incident for contributory factors to identify root causes and changes that may be required to policy and procedure.

**Samantha Norgate currently hold the position of Registered Manager for Banquo Limited.**

The Registered Manager is responsible for

- Ensuring all action has been taken to ensure the safety of the situation and any persons involved.
- Considering whether staff involved in the incident are able to continue work safely and effectively in the immediate aftermath of the incident.
- Ensuring that there are systems in place to monitor incidents, complaints, and concerns within Banquo Limited, and that incidents are investigated according to this policy.
- Ensuring that all staff within their sphere of responsibility are aware of this policy and associated procedures and that these are implemented effectively.
- Facilitating learning from incidents, complaints, and concerns by ensuring that these are discussed within the team.
- Escalating incidents as detailed in this policy including reporting correctly to external bodies as required.
- Ensuring all relevant documentation is gathered, completed, and stored securely.

- Recording any interviews, findings from the investigation and any further follow up actions. Documents should be attached.
- Investigation of the incident to establish what has happened and who, or what, has been affected. This investigation may involve reviewing case notes or interviews with staff etc
- Signing off the incident once investigation is complete.

When it is necessary to interview staff, managers must ensure that interviews

- Are undertaken away from the immediate place of work.
- Last no more than thirty minutes.
- Determine what happened.
- Identify all contributory factors.
- Are conducted in a supportive manner, not judgemental nor confrontational.

If it becomes clear that a professional shortcoming has occurred, this should be allowed to emerge naturally from the conversation and should not be extracted by cross-examination.

### **Staff affected by or involved in an incident, complaint, or witness to an incident**

There is a general requirement for employees:

- To take care of themselves whilst at work and not put service users, family members, volunteers, visitors, members of the public or colleagues at risk by any act or omission on their part.
- To cooperate with their employer to enable their employer to comply with their statutory duties.
- To bring to the notice of their line manager any workplace health and safety risks or incidents.

Following an incident, employees are specifically required to:

- Where possible, make the situation safe for themselves and others bearing in mind the retention of evidence and possible crime scene or scene of investigation.
- Perform any treatment, or first aid, where competently trained to do so, following an incident.
- Summon appropriate support, where able, following an incident.
- Complete and submit an incident report form.
- Provide a statement of events when requested.

### **Classification Of Incidents**

In health and social care serious incidents are described as events which need investigation as they caused severe harm or damage to either the person receiving care or the organisation. Typical incidents may be, but are not limited to, service user complaints, problems with, harm, slips, trips and falls.

## Serious Incidents

Serious incidents are declared internally as soon as possible, and investigation reports are completed within 60 working days.

Serious incidents are adverse events, where the consequences to service users, staff, visitors or members of the public are so significant, or the potential for learning is so great, that a heightened level of response is justified, and they warrant using additional resources to mount a comprehensive response.

Serious incidents extend beyond incidents which affect service users directly and include incidents which may indirectly impact service user safety or the organisation's ability to deliver its essential activities.

There is no definitive list of events and incidents that constitute a serious incident, and all incidents must be considered individually, relying on the judgement of those involved to ensure they are investigated and managed at a consistent and appropriate level.

However serious incidents which must be declared include:

- Acts or omissions arising from Banquo Limited's activities that result in:
  - unexpected or avoidable death.
  - unexpected or avoidable injury resulting in serious harm:
    - a)
      - (i.) the death of the service user, where the death relates directly to the incident rather than to the natural course of the service user's illness or underlying condition.
      - (ii.) an impairment of the sensory, motor or intellectual functions of the service user which has lasted, or is likely to last, for a continuous period of at least 28 days
      - (iii.) changes to the structure of the service user's body.
      - (iv.) the service user experiencing prolonged pain or prolonged psychological harm (a continuous period of 28 days or more).
      - (v.) the shortening of the life expectancy of the service user.
    - OR
    - b) requires treatment by a healthcare professional in order to prevent.
      - (i.) the death of the service user, or
      - (ii.) any injury to the service user which, if left untreated, would lead to one or more of the outcomes mentioned in section (a) above.
- Unexpected or avoidable injury that required transfer to hospital for further treatment in order to prevent death or serious harm.
- Actual or alleged abuse; sexual abuse, physical or psychological ill treatment, or acts of omission which constitute neglect, exploitation, financial or material abuse, discriminative and organisational abuse, self-neglect, domestic abuse, FGM, human trafficking and modern day slavery where;

- Banquo Limited did not take appropriate action / intervention to safeguard against such abuse occurring, or
- Where abuse occurred during screening and diagnostic services provided by Banquo Limited.

### **Never Events**

Never events are serious incidents that are wholly preventable as guidance or safety recommendations that provide strong systemic protective barriers are available at a national level and should have been implemented by Banquo Limited. They are defined as serious incidents although may not result in serious harm or death and include:

- Overdose of medication administered.
- Actual or potential loss of personal information that could lead to identity fraud or have other significant impact on individuals.

### **Near Misses**

When an incident has been avoided but had the potential to cause harm or injury it may be appropriate to class a near miss as a serious incident. This may be either on Banquo Limited premises or to an individual carrying out Banquo Limited business, or involve:

- Damage or loss to Banquo Limited property,
- Damage or loss to Banquo Limited reputation,
- Damage or loss to Banquo Limited integrity.

Consideration to whether a near miss is a serious incident is based on that which may have given rise to possible harm:

- The likelihood of the incident occurring again if current systems / process remains unchanged, and,
- The potential for serious harm to, or death of, staff, service users and visitors, and the risk to the organisation should the incident occur again.

### **Incident Reporting**

Banquo Limited has a legal duty to report certain types of incidents externally. These include serious incidents, never events and certain types of accidents or injuries.

The police must be informed of any death directly because of an incident, or any major injury as a result of a Road Traffic Collision or assault whilst on company business. Copies of any available details should be sent to the police and a record should be kept as part of the accidents and incident log, of the police officer's name together with a summary of the discussion.

The Care Quality Commission (CQC) must be informed of all incidents that relate to a death, injury, abuse or an allegation of abuse or an incident being investigated by the police. Incidents involving safeguarding concerns should be notified to the local authority safeguarding team, in line with the Safeguarding Adults Policies and Procedures.

The Health and Safety Executive (HSE) must be informed of Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) reportable incidents as per Banquo Limited's Health and Safety Policy and Procedure.

Banquo Limited's insurer should also be informed of all RIDDOR reportable incidents, deaths following an incident, cases of alleged abuse or neglect, incidents involving a head injury or incidents where the threat of a claim has been made.

## **Investigating Incidents**

The incident report is the first part of the process that enables Banquo Limited to identify what caused the incident to happen. Identifying the underlying cause of an incident is important to enable the organisation to learn and increase the likelihood that an incident will not happen again.

The cause of an incident may not be immediately apparent, and all contributory factors must be considered for example:

- Communication
- Working conditions
- Education and training
- Equipment and resources
- Individuals
- Team and social considerations
- Task
- Process and procedure.

## **Root Cause Analysis**

Occasionally an incident requires a detailed root cause analysis investigation using an approved investigation methodology (root cause analysis), either due to the seriousness to the individual, and / or the organisation, and / or because of its potential for learning with regard, to the functioning of the organisation. The need for a more detailed investigation will be determined by the nature, scale, and consequence of the incident.

When an incident is identified as being suitable for a root cause analysis investigation, the registered manager or the director will be the one to authorise this.

## **Trend Analysis**

The Registered Manager is responsible for ensuring that incident trends are analysed at a company and operational level and that the findings and lessons learned are discussed at the monthly quality meetings.

## **Witness Statements**

Witness statements are not routinely required but may be requested to form part of an investigation and used in legal proceedings. They may be prepared with assistance from managers or Trade Union Representatives. These are stored with the incident report in Banquo Limited Accident and Incident Reporting log.

When an incident involves a former employee, the former employee may be requested to complete a witness statement to assist in an investigation.

## **Monitoring And Learning From Incidents**

Incidents are monitored to ensure appropriate action has been taken and completed and any learning is shared within the team and with external agencies, as necessary.

## **Confidentiality And Storage**

Incident reports are handled and processed on a confidential basis and are subject to Banquo Limited's protocols regarding confidentiality and data protection.

Information may need to be transmitted to other individuals or agencies as part of the subsequent investigation process, but this is always undertaken on a need-to-know basis. The names of individuals will always be omitted from summary reports and statistics produced for managerial and operational purposes.

Summary reports of incidents are always anonymised.

When external professionals, contractors or organisations are involved in an incident this will be reported to the most appropriate person within the other organisation, ensuring confidentiality and protection of data.

In cases where litigation ensues, the incident report and associated information may need to be submitted as formal evidence in court.

## **Concerns And Complaints**

A concern or complaint is any expression of dissatisfaction. Concerns and complaints should be recorded as an incident. All records relating to the concern or complaint and the outcome will be held by the Registered Manager.

***Please refer to Banquo Limited's Complaints Policy and Procedure.***



## **Training**

All staff should receive guidance in how to complete Banquo Limited accident and Incident reporting log.

Management will be trained in how to manage, investigate, grade, monitor and sign off incidents.

## **Equality And Diversity**

Banquo Limited will ensure that the contents of this document are applied in a fair and reasonable manner that does not discriminate on the grounds of any protected characteristic as defined by the Equality Act 2010.

## **Related Documents**

Quality Governance and Risk Policy and Procedure

Complaints Policy and Procedure

Grievance Policy and Procedure

Duty of Candour Policy and Procedure

Information Governance and Record Keeping Policy and Procedure

Equality and Diversity Policy and Procedure

Medical Emergency Policy and Procedure

Medication Management Policy and Procedure

Safeguarding Policy and Procedure

## **Relevant Guidelines And Legislation**

Health and Safety at Work Act 1974

Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 20

HSE Health Service Information Sheet No 1 – Reporting injuries, diseases and dangerous occurrences in health and social care. Guidance for employers (10/2013)

HSE HSG: Reducing Error and Influencing Behaviour

National Service user Safety Alerts - <https://www.england.nhs.uk/service-user-safety/service-user-safety-alerts/>

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

## Appendix 1 Incident Report Form

PLEASE USE BLOCK CAPITALS TO COMPLETE THIS FORM

### INCIDENT REPORT FORM

\*PLEASE USE **BLACK INK** AND **PRINT LEGIBLY**. COMPLETE **ALL** SECTIONS.

1. NAME OF SERVICE USER: \_\_\_\_\_
2. ADDRESS: \_\_\_\_\_
3. DATE OF INCIDENT: \_\_\_\_\_ TIME: \_\_\_\_\_

**TYPE OF INCIDENT:**

**ABUSE**

- ☐ DEPRIVATION/NEGLECT  
☐ PHYSICAL  
☐ EMOTIONAL  
☐ SEXUAL  
☐ FINANCIAL  
☐ VERBAL

**MEDICATION**

- ☐ ERROR  
☐ OMISSION  
☐ P.R.N.  
☐ REFUSAL  
☐ OTHER

**OTHER:**

- ☐ OFF-SITE INJURY OR BRUISING  
☐ SEIZURE  
☐ MISCELLANEOUS (EXPLAIN) \_\_\_\_\_

**BEHAVIOURAL**

- ☐ SERVICE USER TO SELF  
☐ SERVICE USER TO STAFF  
☐ FAMILY TO STAFF  
☐ SERVICE USER TO OTHER  
☐ STAFF TO SERVICE USERS  
☐ PROPERTY DAMAGE  
☐ RESTRAINT USED

**PUBLIC HEALTH:**

- ☐ COMMUNICABLE DISEASE  
☐ INFESTATION OF BUGS  
☐ OTHER

**LEGAL**

- ☐ SERVICE  
☐ POLICE INVOLVEMENT

**ACCIDENT:**

- ☐ FALL  
☐ INJURY  
☐ MOBILITY LIMITATIONS  
☐ DEFECTIVE STRUCTURE  
☐ MEDICAL FOLLOW-UP

☐ AWOL

☐ FIRE

**3. NAME(S) OF PEOPLE (S) INVOLVED**

- |                  |                      |
|------------------|----------------------|
| 1.) _____        | DATE OF BIRTH: _____ |
| 2.) _____        | DATE OF BIRTH: _____ |
| 3.) _____        | DATE OF BIRTH: _____ |
| STAFF: 1.) _____ | 2.) _____            |

**4. LIST ANY FACTORS (SITUATIONS OR BEHAVIOR) WHICH MAY HAVE INFLUENCED OR PRECIPITATED THIS INCIDENT:**

\_\_\_\_\_  
\_\_\_\_\_

**5. DESCRIBE INCIDENT** (Attach additional pages as required)

\_\_\_\_\_  
\_\_\_\_\_

6. **ACTION TAKEN:** (Attach additional pages as required)

RESTRAINT USED: YES ☐ NO ☐ If "YES" please explain \_\_\_\_\_

a) Is the use of the restraint approved in the care plan? YES ☐ NO ☐

b) Staff trained in NVCI? YES ☐ NO ☐ c) Certificate date: \_\_\_\_\_

7. **PRESENT STATUS:** (Stability of Situation/Safety Issues, etc.)

8. **REPORTING OF INCIDENTS:** All incidents to be reviewed/assessed by the Supervisor or Designate to determine if and to whom the incident is reportable. Indicate date reports filed.

Name of Social Worker: \_\_\_\_\_

**DATE NOTIFIED:**

**VERBAL REPORT**

**WRITTEN REPORT**

1) Director/Registered Manager: \_\_\_\_\_

2) Social Services: \_\_\_\_\_

3) Emergency Services: \_\_\_\_\_

4) Care Quality Commission: \_\_\_\_\_

5) Pharmacy/Doctor notified : ☐ yes ☐ no If yes, date notified : \_\_\_\_\_

9. **FOLLOW UP: INCLUDE MEASURES TAKEN OR PLANNED TO PREVENT SIMILAR INCIDENTS IN THE FUTURE**

\_\_\_\_\_  
SIGNATURE OF STAFF INVOLVED

\_\_\_\_\_  
DATE REPORT COMPLETED

\_\_\_\_\_  
SIGNATURE OF REGISTERED MANAGER

\_\_\_\_\_  
DATE: