



# Reportable incidents: Neglect

## Serious Incident Response Scheme



**The Serious Incident Response Scheme (SIRS) helps stop and reduce the risk of abuse and neglect in Australian Government-funded aged care services.**

Under the SIRS, a provider needs to record all incidents in their incident management system. This makes sure they respond in a timely and suitable way that:

- reduces the impact on older people
- supports people involved
- reduces the risk that it will happen again.

### There are 8 types of reportable incidents. Including:

- unreasonable use of force
- unlawful sexual contact or inappropriate sexual conduct
- psychological or emotional abuse
- unexpected death
- stealing or financial coercion by a staff member
- neglect
- inappropriate use of restrictive practices
- unexplained absence.

Providers must:

- record these incidents in their incident management system
- report the incidents to the Aged Care Quality and Safety Commission (Commission).

This fact sheet is about reporting incidents of neglect.

## What is reportable neglect?

Reportable neglect is when a registered provider, aged care worker or responsible person has, or someone suspects them of having:

- provided a service that **puts an older person at risk** of serious injury or illness
- caused or contributed to
  - a **significant failure** to provide a service to an older person
  - a **systemic pattern** of poor conduct (organisation wide poor behaviour)
- provided a completely inadequate service to an older person
- been **reckless or intentionally negligent** in how they provided a service to an older person.

If you suspect (think) there has been a reportable incident, you must let us know. You shouldn't wait for definite proof.

If an incident doesn't meet the threshold (requirements) for reporting neglect, you need to understand if you should still record and respond to it as part of your incident management obligations.

### What does putting the older person at risk of serious injury or illness mean?

Putting an older person at risk of serious injury or illness means putting them in a situation where they **could** have a serious injury or illness. Serious injury or illness doesn't have to have happened.

For example, leaving an older person (who needs help to move) in the sun without enough shade, sun protection, water or access to help.

### What is a significant failure?

A significant failure is conduct or behaviour that's significantly different from what should be happening. Providers, responsible persons and workers have rules for their conduct under the Aged Care Act.

### What is a systematic pattern of conduct?

To work out if there is a systematic pattern of conduct, we look at:

- the number of times the conduct happened
- the time period the conduct happened in
- the number of older people the conduct affected
- how the provider responded to any complaints about the conduct.

### What is reckless or intentionally negligent?

Someone is reckless if they:

- know there will be a significant risk to the health, wellbeing and safety of an older person because of their action
- still take that action, knowing it can cause harm.

Someone is intentionally negligent if their action or lack of action was deliberate (on purpose) and caused harm.

### Neglect doesn't include

- **Decline in the older person's health because of disease**, when all care has been taken to meet the older person's needs.

For example, weight loss during end-of-life care.

- **When an older person makes an informed choice not to receive care or services.**

For example, an older person with diabetes makes the informed decision not to follow a diabetic diet. Or an older person decides they don't want to be taken to the hospital for treatment after being told about the risks and options.

### SIRS Decision Support Tool



You can use the SIRS [Decision Support Tool](#) to help you work out what incidents of neglect you need to report to us and when.

You need to report a Priority 1 incident within 24 hours and a Priority 2 incident within 30 days.

#### A Priority 1 incident is where:

- it's reasonable to contact the police
- there was harm to an older person that needed medical or psychological treatment.

Medical or psychological treatment for a Priority 1 incident is treatment that can only be provided by a:

- medical practitioner
- nurse practitioner
- registered nurse
- psychologist
- social worker.

**A Priority 2 incident** is an incident that is reportable to the Commission but does not meet the threshold for a Priority 1 incident.

## When should you report neglect to the police?

You need to report neglect to the police if there is a confirmed or suspected incident that might be criminal.

This can include where the neglect of the older person may be abuse.

## What if the neglect isn't from an aged care service?

Providers and their teams may see neglect caused by the action or lack of action of an older person's family or friends.

In these situations you should give the older person, and their supporters, information about:

- OPAN – the Older Persons Advocacy Network gives free, confidential and independent support to older people looking for or receiving care. Contact them on **1800 700 600** or [opan.org.au](http://opan.org.au).
- 1800 ELDERHelp (**1800 353 374**) – a free and confidential national elder abuse phone line.

If the person is in immediate danger, or there is possible criminal conduct, contact emergency services.

## Warning signs

Incidents of neglect aren't always witnessed. And not all older people will report that there has been an incident.

Warning signs of neglect can include:

- unexplained weight loss
- unexplained or unusual hunger or thirst
- constant tiredness or falling asleep at unexpected times
- poor hygiene or grooming, like overgrown nails, dirty hair, body odour, or continence aids not being regularly changed

- wearing dirty and damaged clothes or clothing that doesn't suit the weather
- wounds that won't heal
- dirty dressings
- unexpected changes to behaviour
- hints or comments that seem to be about neglect.

If you suspect there has been a reportable incident, you must let us know. Don't wait for definite proof.

## Responding to neglect

When an incident happens, a provider and their care team's first priority is to make sure the older person is safe and well.

For incidents of neglect, this could mean:

- reassuring them
- immediately attending to their needs
- organising further assessment and treatment
- offering to connect the person with confidential support
- acting to stop more harm from the neglect.

You can read about [open disclosure](#) on our website.

### The Serious Incident Response Scheme



You can find more information on responding to a serious incident on our website.

## Tip

It's easier to make a clear notification to us if you have all the information you need.

To make a clear notification you need more than the details from the progress notes about the incident, or text from your incident management system. You need to know:

- what happened
- when the incident happened
- where the incident happened
- who was involved, including the older person affected and workers involved with the incident
- what actions were taken after the incident
- what caused the incident (if known)
- what changes the provider will make because of the incident (if known).

If you find more information after submitting your notification, you should update us.

When you provide clear and detailed information early on, it's less likely that we will need to:

- ask for more details
- ask you to investigate
- investigate the issue ourselves.

## Workshops

We have facilitated workshops for people working in the sector. You can find the current workshops at [www.agedcarequality.gov.au/providers/education-training/live-learning](http://www.agedcarequality.gov.au/providers/education-training/live-learning)

## Online learning

Our Aged Care Learning Information Solution (Alis) has free online education for employees of Australian Government-funded aged care providers, including a module about neglect.

You can access Alis at [learning.agedcarequality.gov.au](http://learning.agedcarequality.gov.au).

## Contact us

If you have a question, you can call us on **1800 081 549**. This phone line is open 9 am to 5 pm (AEST) Monday to Sunday.

You can also email [sirs@agedcarequality.gov.au](mailto:sirs@agedcarequality.gov.au).

**Disclaimer:** The information in this document gives you general guidance. It's your responsibility to understand your legal requirements.

*The Aged Care Quality and Safety Commission acknowledges the Traditional Owners of country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to Elders both past and present.*

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### Phone

1800 951 822



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[agedcarequality.gov.au](http://agedcarequality.gov.au)



### Write

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