

NOTIFIABLE EVENT (NON-CLINICAL) REPORTING

Policy

Purpose

This policy outlines Murray PHN's commissioned service providers' responsibilities and requirements for Notifiable Event (non-clinical) monitoring, reporting and management. This policy fosters consistency in Notifiable Event reporting across all Murray PHN's programs, including where the programs are delivered via a digital health platform.

This policy will outline the Murray PHN system that facilitates and supports the identification, reporting, management, and evaluation of Notifiable Events (non-clinical), in a timely and effective manner, and in accordance with the State and Commonwealth funded, statutory and regulatory bodies, incident reporting requirements (where applicable). This policy enables alignment with the commissioned services funding agreement, legislation, and mitigation of future risk, supports the safe delivery of commissioned services, and promotes a culture of continuous quality improvement.

A Notifiable Event (non-clinical) is broadly defined and includes a notifiable non-clinical incident, occurrence or circumstances.

Scope

This policy applies to Murray PHN and commissioned service providers, including all employees, sub-contractors, and consultants, whether permanent, temporary, fulltime, part time, or casual. Notifiable Events (non-clinical) must be reported to Murray PHN. Please refer to relevant sections of the commissioned services funding agreement, this policy, and the accompanying procedure on incident reporting for commissioned service providers, for further information and reporting requirement details.

It is not the role of Murray PHN, or its staff, to manage Notifiable Events (non-clinical) that occur during the delivery of commissioned services. The Contracts and Agreements executed between Murray PHN and commissioned service providers requires commissioned service providers inform Murray PHN of Notifiable Events and to have event (incident) management systems, and relevant policies and procedures in place, to identify, report and manage those events. This policy sets out a method of supporting commissioned service to do so.

Background

Notifiable Event (non-clinical) management is the responsibility of everyone within an organisation's corporate, organisational, and healthcare teams. Murray PHN's Enterprise-wide Risk Management



Leadership



Collaboration



Respect



Accountability



Innovation

Framework applies a whole-of-organisation approach with clear points of accountability for reporting and feedback at all levels of the organisation.

Effective Notifiable Event (non-clinical) management by commissioned service providers requires a similar approach. Not doing so may result in a breach of the Contact or Agreement with Murray PHN.

Commissioned service providers are required to escalate Notifiable Events (non-clinical) within the mandatory reporting requirements of the Contact or Agreement with Murray PHN, State and Commonwealth government laws, WorkSafe Victoria, Safework Australia and the Australian Information Commissioner.

Mandatory Reporting Requirements

Policy Statement

All commissioned service providers are bound by their contractual obligations to report Notifiable Events (non-clinical) to the appropriate authorities and directly to Murray PHN. For all components of the service or activity provided, Notifiable Events (non-clinical) reportable to Murray PHN include:

- An event, incident or situation involving professional misconduct or malpractice; and/or requiring a mandatory notification to the Australian Health Practitioner Regulation Agency (AHPRA) or other regulatory body.
- Those events occurring when personnel (including sub-contractors), is under investigation by Independent Broad-based Anti-Corruption Commission (IBAC) or under Police investigation for serious criminal offences.
- A notifiable data breach of sensitive information, required to be reported a State or Commonwealth Privacy Commissioner, including breaches of privacy legislation; A data breach of the Privacy Act (Cth)1988, Privacy and Data Protection (Vic) 2014, Health Records Act (Vic) 2001, Health Records and Information Privacy (NSW) 2002 Act.
- A serious data breach where there has been unauthorised access to data under your/your organisation's control (not related to privacy, health records or confidentiality);
- An incident which reasonably might give rise to a claim or investigation against the Organisation, including but not limited to breach of a public health direction, a public liability claim, professional negligence claim, child safety issue or occupational health and safety and including if applicable, whistle-blower claims or investigations.
- A change in control event, where there is a change to the controlling entity of your organisation, the structure, management, or operations which could reasonably be expected to have serious effect on governance.
- An event involving governance or personnel where there is an investigation of corruption, misappropriation, fraud, or other serious offence where this may adversely affect or has adversely affected the performance of the services.
- An event involving conflict of interest arising with the Organisation or Personnel in respect of organisation or personal interests or activities that influence or could appear to influence the ability to exercise judgement or make decisions in the best interests the funded services.

Murray PHN expects that as an element of the management of Notifiable Events (non-clinical), commissioned service providers will comply with the requirements of open disclosure in accordance with the Australian Open Disclosure Framework 2014.

Responsibilities

- **Murray PHN Board and Programs and Quality Committee:** Approval of Murray PHN Clinical Governance Framework, review of regular Operations and Risk and Compliance reporting including clinical event data submitted by commissioned service providers.
- **CEO, Executive and Senior Leadership team:** Review and maintain Clinical Governance Framework, review, and approve Notifiable (Non-clinical) Event Reporting Policy (this policy) and procedure.
- **Senior Leadership team:** Assurance of implementation of the policy and escalation of events and associated risk to the Executive and Board.
- **Responsible Managers, Activity Leads and Contract Managers:** Monitor commissioned service providers performance through contract management processes including assurance of reporting and escalation of notifiable non-clinical events as submitted to Murray PHN as required by this Policy.
- **Commissioned Service providers:** Report to Murray PHN notifiable non-clinical events as outlined in this Policy.

Relevant Legislation

Health Complaints Act (Vic) 2016

Health Records Act (Vic) 2001

Health Services Act (Vic) 1988

Health Practitioner Regulation National Law (Victoria) Act 2009 (Vic)

Privacy and Data Protection Act (Vic) 2014

Public Interest Disclosure Act (Vic) 2012

Public Health and Wellbeing Act 2008 (Vic)

Privacy Act 1988

Working with Children Act (Vic) 2005

Child Wellbeing and Safety Act 2005 (Vic)

Children, Youth and Families Act 2005 (Vic)

Ombudsman Act (Vic) 1973

Occupational Health and Safety Act 2004 (Vic)

Australian Open Disclosure Framework 2014

together with the New South Wales and Commonwealth jurisdictional equivalents (where applicable) and

Corporations Act (Cth) 2001

Australian Securities and Investments Commission Act (Cth) 2001

(this is not an exhaustive list).

Definitions

Term	Definition
Event Reporting	The process by which event data is sent directly to Murray PHN.
Mandatory Reporting	Includes: <ol style="list-style-type: none"> 1. Reporting of health practitioners under National Law to the Australian Health Practitioner Regulation Agency (AHPRA). 2. Reporting to the relevant state government department, child abuse or any breaches of Child Safety Laws – defined under state law.
Murray PHN	Murray Primary Health Network
Notifiable Events non-clinical	Are non-clinical events requiring notification (reporting) to Murray PHN, as outlined contracts and agreements, indicative (but not exhaustive examples are included in this policy).
Open Disclosure	Open disclosure is the process of open discussion with a client, and/or their family/support person about any incident that results in harm to that client.

Related Documents and Forms

Title	Location
National Clinical Governance Framework (2017)	https://www.safetyandquality.gov.au/sites/default/files/migrated/National-Model-Clinical-Governance-Framework.pdf
Murray PHN Clinical Governance Framework 2021	Murray Docs
Murray PHN Enterprise Wide Risk Management Framework 2021	Murray Docs
Australian Open Disclosure Framework 2014	https://www.safetyandquality.gov.au/sites/default/files/migrated/Australian-Open-Disclosure-Framework-Feb-2014.pdf
Murray PHN Notifiable Event Reporting Forms	New Forms Website Link

Document Control

Date	Author	Modification	Version
July 2022	Tessa Moriarty – Consultant Janice Radrekusa – Director of Operations Michelle Allan – Corporate Counsel, Contracts and Commercial Lead Ian Johansen		1