

|  |
| --- |
| Incident investigation report and response plan |
| Client incident management system (CIMS) |

Contents

[Service details 3](#_Toc30760579)

[Investigation manager details 3](#_Toc30760580)

[Incident summary details 4](#_Toc30760581)

[Incident reference number 4](#_Toc30760582)

[Incident dates 4](#_Toc30760583)

[Details of client(s) involved in incident 4](#_Toc30760584)

[Details of the subject(s) of allegation(s). 6](#_Toc30760585)

[Investigation details and methodology 7](#_Toc30760586)

[Investigation period 7](#_Toc30760587)

[Allegations/unexplained injuries 7](#_Toc30760588)

[Investigation methodology 7](#_Toc30760589)

[Client(s) interviewed 9](#_Toc30760590)

[Client(s) not interviewed 10](#_Toc30760591)

[Details of the subject(s) of allegation(s) interviewed 10](#_Toc30760592)

[Witnesses/other relevant persons interviewed 11](#_Toc30760593)

[Witnesses/other relevant persons not interviewed 11](#_Toc30760594)

[Summary of key evidence 12](#_Toc30760595)

[Unexplained injury (if applicable) 12](#_Toc30760596)

[Allegation outcomes 14](#_Toc30760597)

[Investigation response plan 16](#_Toc30760598)

[Investigation report and response plan endorsement 17](#_Toc30760599)

[Under the client incident management system (CIMS), the purpose of an incident investigation is to determine whether there has been abuse or neglect of a client by a staff member (including a volunteer) or another client, pursuant to an allegation in a client incident report.

Any major impact incident involving the alleged abuse, poor quality of care or unexplained injury of a client by a staff member, carer or another client must be investigated.

The purpose of an incident investigation report and response plan is to provide:

* a comprehensive account and analysis of the incident investigation process
* outcome(s) in relation to allegation(s) of abuse against the subject(s) of allegation(s).
* the resulting action plan of the service provider.

Once the report has been completed, it must be endorsed by a service provider’s delegated authority. All documents must be stored in a secure location to protect the privacy of the parties involved and to ensure the integrity of the investigation is maintained.

The CIMS investigation report and response plan template should be considered in conjunction with the following CIMS guidance and resources:

* *Client incident management guide*
* *CIMS investigative framework*
* *CIMS investigation plan template*

The text in orange throughout this template serves as a guide and can be deleted.]

# Service details

|  |  |
| --- | --- |
| Organisation name  | <Enter organisation name here> |
| Address of service delivery | <Enter address of service delivery> |
| Area[As identified in the incident report] | <Enter Department of Health and Human Services service area> |
| Program[As identified in the incident report] | <Enter program> |
| Service type[As identified in the incident report] | <Enter service type> |

## Investigation manager details

[Refer to the Client incident management guide for the role, responsibilities and independence of the investigation manager]

|  |  |
| --- | --- |
| Surname / family name  | <Enter surname / family name> |
| Given name | <Enter given name> |
| Position title  | <Enter position title> |
| Telephone | <Enter telephone> |
| Email | <Enter email> |

In circumstances where the investigation is being jointly managed by the service provider and department, include the details of the department’s joint-investigation manager here.

|  |
| --- |
| <Enter joint-investigation manager’s name, title and contact details here> |

In circumstances where the investigator is different than the investigation manager, include the details of the investigator here.

|  |  |
| --- | --- |
| Surname / family name  | <Enter surname / family name> |
| Given name | <Enter given name> |
| Position title  | <Enter position title> |
| Organisation | <Enter investigator’s organisation> |
| Telephone | <Enter telephone> |
| Email | <Enter email> |

# Incident summary details

## Incident reference number

|  |
| --- |
| <Enter incident report ID (IRD)>  |

## Incident dates

|  |  |
| --- | --- |
| Date of the incident | <Enter date of the incident>[DD/MM/YYY] |
| Date the incident disclosed to the service provider | <Enter the date incident was disclosed to the service provider>[DD/MM/YYY] |

## Details of client(s) involved in incident

### Client one

[This section applies to the alleged victim/s of the incident. Please address the information outlined below individually for each client involved. Where a client is the subject of allegation or a witness to the incident provide client details in the appropriate section below.]

|  |  |
| --- | --- |
| Surname / family name  | <Enter the client’s surname / family name here> |
| Given name | <Enter the client’s given name here> |
| Date of birth | <Enter the client’s date of birth here>[DD/MM/YYY] |
| Sex[As identified in the incident report] | <Enter the client's sex. If unknown, enter 'not stated/inadequately described'> |
| Address | <Enter the client’s current home address here> |
| Indigenous status[As identified in the incident report] | <Enter the indigenous status of the client here> |
| Client unique ID | <Enter client unique ID here> |
| Client unique ID type (e.g. CRIS or CRISSP number, HiiP ID, etc.) | <Enter client unique ID type here> |

#### Impact of incident on the client and incident type

|  |  |
| --- | --- |
| Incident category[As identified in the incident report. Only major impact incidents are required to be investigated] | <Enter Major impact or non-major impact here> |
| Primary incident type[As identified in the incident report] | <Enter primary incident type here> |
| Secondary incident type (applicable for incident types of abuse only)[As identified in the incident report] | <Enter secondary incident type here> |

[Copy and paste the client details and impact on the client tables for each client that is an alleged victim of the incident, if required, up to a maximum of 10.]

## Details of the subject(s) of allegation(s).

[This section applies to the subject of allegation in the incident. If a client is the subject of allegation, provide their details in this section.]

### Person 1

|  |  |
| --- | --- |
| Surname / family name  | <Enter surname / family name here> |
| Given name | <Enter given name here> |
| Date of birth | <Enter date of birth here>[DD/MM/YYY] |
| Sex | <Enter sex here> |
| Residential address | <Enter residential address here> |
| Is the subject of allegation a client, employee or carer | <Enter client, employee or carer here> |
| Organisation[If applicable. If not applicable, indicate not applicable] | <Enter the person’s organisation, if applicable here> |
| Position/title[If applicable. If not applicable, leave blank] | <Enter the person’s position/title details, if applicable here> |
| Length of service at the current organisation[If applicable. If not applicable, indicate not applicable] | <Enter the person’s length of service details, if applicable here> |
| Work address[If applicable. If not applicable, indicate not applicable] | <Enter the person’s work address, if applicable here> |
| Type of employment (for example, casual, days/hours/shift roster)[If applicable. If not applicable, leave blank] | <Enter the person’s type of employment, if applicable here> |
| Any other relevant information related to employment contract[If applicable. If not applicable, indicate not applicable] | <Enter any other relevant information related to the person’s employment contract, if applicable here> |

[Copy and paste the details table of the subject of allegation, if required, up to a maximum of 10.]

# Investigation details and methodology

## Investigation period

|  |  |
| --- | --- |
| Investigation start date | <Enter investigation start date here> |
| Investigation completion date | <Enter investigation completion date here> |
| Rationale for investigating period exceeding 28 business days[If applicable] | <Enter rationale for investigation period exceeding 28 business days or ‘not applicable’ here> |

## Allegations/unexplained injuries

[Please present the allegations/unexplained injuries as outlined in the investigation plan. Please set these out exactly as put to the subject(s) of allegation(s) and state by what means these were put to them (for example, by letter dated <dd/mm/yyyy> from <letter signatory>)]

|  |
| --- |
| <Enter the allegations/unexplained injuries here> |

## Investigation methodology

### Type of investigation (internal, external or joint) and rationale for the type of investigation

|  |
| --- |
| <Enter the type of investigation undertaken and the rational for the investigation type here> |

### Investigation scope and objectives of the investigation

|  |
| --- |
| <Enter the scope of the investigation here> |

|  |
| --- |
| <Enter the objectives of the investigation here> |

### How the investigation was conducted

[Provide a brief summary of the approach used conducting the investigation:

|  |
| --- |
| <Enter a summary of how the investigation was conducted here> |

### Investigation steps and processes

|  |
| --- |
| <Enter the details of the investigation process. Include details of variations to the investigation plan and the rationale for the variation to the investigation plan here> |

### Victoria police involvement

[If a police investigation was initiated, what impact did it have on the organisation’s investigation approach and the outcome of the police investigation. If police were notified but did not proceed with an investigation, indicate accordingly. If the police were not notified, indicate ‘not applicable’ and provide clear rationale for this decision.]

|  |
| --- |
| <Enter the details of any police involvement or ‘not applicable’ here> |

## Client(s) interviewed

[This section applies to the alleged victim/s of the incident. Please address the information outlined below individually for each client interviewed. Where a client is the subject of allegation or a witness to the incident provide client details in the appropriate section below.]

### Client one

|  |  |
| --- | --- |
| Name of the client interviewed | <Enter the name of the client interviewed here> |
| Nature and details of the harm suffered by the client[Allegation of abuse, poor quality of care or unexplained injury] | <Enter the nature of the harm suffered by the client here> |
| Name of the investigator who conducted the interview | <Enter the name of the investigator who conducted the interview here> |
| Date and location of the interview [If multiple interviews were conducted, include all dates and locations] | <Enter the date and location of the interview(s) here> |
| Details of the guardian, advocate or key support person present[If applicable] | <Enter the details of the guardian, advocate or key support person present here> |
| Support mechanisms in place to assist the client with the interview[For example, whether the interview was audio/video recorded or the nature of the response provided, written/oral etc] | <Enter the support mechanisms in place to assist the client here> |
| Brief summary of the client’s statement(s) | <Enter a brief summary of the client’s statement(s) here and attach a full transcript of the client’s statement as an appendix > |

 [Copy and paste the client detail table, if required, up to a maximum of 10.]

## Client(s) not interviewed

[Please identify any relevant client(s) who was not interviewed and provide details as to why they could not be interviewed. This section applies to the alleged victim/s of the incident. Please address the information outlined below individually for each client involved. Where a client is the subject of allegation or a witness to the incident provide client details in the appropriate section below.]

### Client 1

|  |  |
| --- | --- |
| Name of the client who could not be interviewed | <Enter the name of the client who could not be interviewed here> |
| Nature of the harm suffered by the client[Alleged abuse, poor quality of care or unexplained injury] | <Enter the nature of the harm suffered by the client here > |
| Reason(s) for the inability to interview the client | <Enter the reason(s) for the inability to interview the client here > |

 [Copy and paste the client detail table, if required, up to a maximum of 10.]

## Details of the subject(s) of allegation(s) interviewed

[Please complete the information outlined below individually for each person subject to investigation, including client/s who are thesubject(s) of allegation(s).]

### Subject of allegation one

|  |  |
| --- | --- |
| Name of the subject of allegation | <Enter the name of person subject to investigation here > |
| Is the subject of allegation a client? | <Enter yes or no here > |
| Description of the allegation against the subject of allegation | <Enter the description of the allegation against the subject of allegation here > |
| Name of the investigator who conducted interview | <Enter the name of the investigator who conducted interview here > |
| Date and location of interview[If multiple interviews were conducted, include all dates and locations] | <Enter the date and location of interview here > |
| Processes associated with how the interview was conducted [For example, audio/video recorded, and the nature of the response provided- written/oral] | <Enter the processes associated with how the interview was conducted here > |
| Brief summary of the statement(s) from the subject(s) of allegation(s) | <Enter the brief summary of person subject to investigation’s statement(s) here and attach a full transcript of the client’s statement as an appendix> |

## Witnesses/other relevant persons interviewed

[Please address the information outlined below individually for each witness/other relevant person interviewed. This includes any client who is a witness, persons to whom the incident was disclosed etc. It does not include the alleged victim or the subject of allegation of the incident.]

### Witnesses/other relevant person 1

|  |  |
| --- | --- |
| Name of the witness/other relevant person interviewed | <Enter the name of the witness/other relevant person interviewed here > |
| Role in the incident[For example, witnessed the incident or the person to whom the incident was disclosed] | <Enter the role of the witness/other relevant person in the incident here > |
| Name of the investigator who conducted interview | <Enter the name of the investigator who conducted interview here > |
| Date and location of the interview[If multiple interviews were conducted, include all dates and locations] | <Enter the date and location of the interview here > |
| Name of the guardian, advocate or key support person present[If applicable] | <Enter the details of the guardian, advocate or key support person present here > |
| Processes associated with how the interview was conducted [For example, audio/video recorded, the nature of the response provided- written/oral] | <Enter the brief summary of person subject to investigation’s statement(s) here > |

 [Copy and paste the witness detail table, if required.]

## Witnesses/other relevant persons not interviewed

[Please identify any relevant witnesses who were not interviewed and explain why the witness did not participate in the interview]

|  |  |
| --- | --- |
| Name of the witness/other relevant person who could not be interviewed | <Enter the name of witness/other relevant person not interviewed) here > |
| Role of the witness/other relevant person in the incident | <Enter the role of witness/other relevant person in the incident) here > |
| Reason(s) for inability to interview the witness/other relevant person  | <Enter the reason(s) for inability to interview the witness/other relevant person here > |

[Copy and paste the witness not interviewed details as required.]

## Summary of key evidence

### Documentary evidence

[Please provide a description of documentary evidence and a rationale of the relevance of documents as evidence.]

| Description of evidence | Relevance of evidence |
| --- | --- |
| <Enter a description of the documentary evidence> | <Enter the relevance of the documentary evidence, that is, how the documentary evidence, on the balance of probabilities, substantiates the abuse here> |
|  |  |
|  |  |
|  |  |
|  |  |

[Add additional lines if required.]

### Forensic evidence

[Please provide a description of forensic evidence and a rationale of the relevance of the forensic evidence.] People may need some explanation about what is considered to be forensic evidence.

| Forensic evidence | Relevance of evidence |
| --- | --- |
| Recommend inserting an example here<Enter a description of the forensic evidence> | <Enter the relevance of the forensic evidence, that is, how the forensic evidence, on the balance of probabilities, substantiated the abuse here> |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

[Add additional lines if required.]

## Unexplained injury (if applicable)

### Analysis of evidence

In accordance with the standard of proof required for civil matters, the evidence obtained during the course of this investigation has been considered on the ‘balance of probabilities’. In this regard, a finding as to whether the abuse is substantiated or not was considered by the investigator on the basis of whether the alleged incident was more likely than not to have occurred.

The gravity of consequences as a likely result of the investigator’s finding has been considered when assessing the value of evidence.

 [For each allegation, describe:

* outline the relevant evidence dealing with each allegation
* ensure that reference is made to specific evidence and quote evidence where relevant (at this point the investigator should include the relevant parts of the record of witness interviews, reference the paragraph number and summarise why the evidence is relevant to the allegation where necessary)
* avoid quoting large portions of evidence – quote information that is directly relevant to the allegation
* address essential facts and what may be in dispute
* highlight evidence that supports and refutes the allegation
* highlight any inconsistencies in the evidence
* where relevant, note mitigating factors that may assist in explaining events or behaviours relevant to the allegation (in the event that mitigating factors are included in the report, this should be kept brief and noted that such factors neither support or refute the allegation)
* considerations around the weighing of evidence and rationale for weighting should be presented here (For example, whether to give the evidence full weight, partial weight or less depending on its source and reliability).

Add additional allegations if required.]

|  |
| --- |
| <Enter analysis of evidence for unexplained injury here> |

### Outcome for the unexplained injury

[The outcomes are to be clearly and concisely stated. Should the unexplained injury amount to a substantiated abuse type or neglect, outline the processes, witnesses interviewed, and evidence examined which led to the outcome.

One of the following findings must be made for each allegation. That the allegation is

* substantiated
	+ substantiated – physical abuse
	+ substantiated – sexual abuse
	+ substantiated – emotional/psychological abuse
	+ substantiated – neglect
	+ substantiated – financial abuse
* not substantiated – no further action – where there is no evidence that the incident took place
* not substantiated – further action – where there is insufficient evidence to substantiate abuse but there is a need for further actions to be taken to address any ongoing concerns.]

|  |
| --- |
| <Enter outcome for unexplained injury here> |

## Allegation outcomes

### Analysis of evidence for allegation one

In accordance with the standard of proof required for civil matters, the evidence obtained during the course of this investigation has been considered on the ‘balance of probabilities’. In this regard, a finding as to whether the abuse is substantiated or not was considered by the investigator on the basis of whether the alleged incident was more likely than not to have occurred.

The gravity of consequences as a likely result of the investigator’s finding has been considered when assessing the value of evidence.

[Insert separate sections for each allegation and the associated outcome. For instance, if there is a second allegation, add another heading for this and make a separate finding for allegation 2, as above.

For each allegation:

* outline the relevant evidence dealing with each allegation
* ensure that reference is made to specific evidence and quote evidence where relevant (at this point the investigator should copy over the relevant parts of the record of witness interviews, reference the paragraph number and summarise why the evidence is relevant to the allegation where necessary)
* avoid quoting large portions of evidence – quote information that is directly relevant to the allegation
* address essential facts and what may be in dispute
* highlight evidence that supports and refutes the allegation
* highlight any inconsistencies in the evidence
* where relevant, note mitigating factors that may assist in explaining events or behaviours relevant to the allegation (in the event that mitigating factors are included in the report, this should be kept brief and noted that such factors neither support or refute the allegation)
* considerations around the weighing of evidence and rationale for weighting should be presented here (For example, whether to give the evidence full weight, partial weight or less depending on its source and reliability).

Add additional allegations if required.]

|  |
| --- |
| <Enter analysis of evidence for allegation one here> |

[Copy and paste additional allegation details as required.]

### Outcome for allegation one

[The outcomes are to clearly articulate whether the evidence gathered in response to allegation one leads to an assessment that abuse or neglect of the client can be substantiated on the balance of probabilities.

One of the following findings must be made for each allegation. That the allegation is

* substantiated
	+ substantiated – physical abuse
	+ substantiated – sexual abuse
	+ substantiated – emotional/psychological abuse
	+ substantiated – neglect
	+ substantiated – financial abuse
* not substantiated – no further action – where there is no evidence that the alleged incident took place
* not substantiated – further action – where there is insufficient evidence to substantiate abuse but there is a need for further actions to be taken to address any ongoing concerns.]

|  |
| --- |
| <Enter outcome for allegation one here> |

|  |
| --- |
| <Enter secondary outcome for allegation one (of applicable) here> |

[Copy and paste additional allegation and outcome details as required.]

# Investigation response plan

[The Response Plan outlines the follow up actions identified by the service provider to respond to the investigation outcome(s). In the event that the allegations are not substantiated, service provider practice improvements should still be identified with the service provider service improvement section of the Incident response plan completed below.]

[Please include:

* the outcome
* the theme\* of the response action: the response action including actions/ongoing support to be provided to the client / subject of allegation / witness and practice improvement. At least one response theme is mandatory unless the outcome of the investigation is ‘not substantiated – no further action’
* the expected result / rationale for the response
* the timeline for the actions to be undertaken]

| Outcome | Response Theme | Response | Expected result | Timeline | Monitoring |
| --- | --- | --- | --- | --- | --- |
| <Enter outcome here> | <Choose one theme / category of response here> | <Enter response planned for outcome, including actions and support for clients (victim / subject of allegation / witness) here> | <Enter expected result / rational for planned response here> | <Enter anticipated timeline for planned response here> | <Enter how action will be monitored by service provider here> |

[\* Response theme options (choose one per outcome): Client placement/mix, Client plan, Client access to support services, Staff capability, Staff or Carer qualification/accreditation, Staff terminated/stood down, Staff rostering/support model, Operational policy/procedure, Property repair/upgrade/modifications required, Human resources policy/procedures, Organisational governance, Notify relevant parties, Other]

[Copy and paste for additional response plan details as required.]

# Investigation report and response plan endorsement

|  |  |
| --- | --- |
| Prepared by | <Enter name of person who prepared investigation report and response plan (the investigation manager) here> |
| Position/title | <Enter position or job title of person who prepared investigation report and response plan here> |
| **Conflict of interest declaration** | As the investigation manager, I declare that I have not had any prior personal involvement in this matter, nor do I have any personal bias or inclination, obligation or loyalty, that would in any way affect my conducting this investigation; nor any comments or critical analysis that I provide. As the investigation manager, I have verified that any other staff member involved in conducting the investigation also does not have a conflict of interest relating to this incident. |
| Signature | <Enter signature of person who prepared the investigation report and response plan here> |
| Date | <Enter date of above signature here> [DD/MM/YYY] |

|  |  |
| --- | --- |
| Approved by[Service provider’s Chief executive officer or delegated authority] | <Enter name of person who approved the investigation report and response plan here> |
| Position/title | <Enter position or job title of person who endorsed investigation report and response plan here> |
| Signature | <Enter signature of person who approved the investigation report and response plan here Electronic signatures are acceptable> |
| Date | <Enter date of above signature here> [DD/MM/YYY] |

In the case of a joint investigation the divisional office may need to endorse investigation report and response plan.

|  |  |
| --- | --- |
| Endorsed by[Divisional office Director] | <Enter name of person who endorsed the investigation report and response plan here> |
| Position/title | <Enter position or job title of person who endorsed investigation report and response plan here> |
| Signature | <Enter signature of person who endorsed investigation report and response plan here. Electronic signatures are acceptable> |
| Date | <Enter date of above signature> [DD/MM/YYY] |

|  |
| --- |
| To receive this publication in an accessible format phone 1300 024 863, using the National Relay Service 13 36 77 if required, or email the client incident management system team <CIMS@dhhs.vic.gov.au>Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.© State of Victoria, Department of Health and Human Services January 2020.Available at [client incident management system](https://providers.dhhs.vic.gov.au/cims) <https://providers.dhhs.vic.gov.au/cims> |