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| Client Incident Management System  Policy update 2-2024 |
| New ‘Serious risk’ incident type; Reporting of client gender; services in scope; new ‘family violence and sexual assault services’ program type.  30 May 2024 |
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# Client Incident Management System: policy update 2-2024

Client incidents that occur during service delivery and result in harm to a client, or are reasonably likely to seriously harm a client, are required to be reported to the Department of Families, Fairness and Housing (the department) by all in-scope services in the Client Incident Management System (CIMS).

Changes to the CIMS guide coming into effect 17 June are 2024 are in the following sections:

* Section 1.3 – CIMS services-in-scope updated to align with the terminology used in the Social Services Regulations 2023
* Section 3.8.5 – Requirement for collection notices inserted
* Appendix A – new incident type of ‘serious risk’ inserted
* Appendix C – CIMS services-in-scope updated to align with the terminology used in the Social Services Regulations 2023
* Appendix D – information on the Social Services Regulator inserted. CIMS information sharing with the Commission for Children and Young People and Social Services Regulator inserted.
* Appendix E – New gender and family violence and sexual assault services program fields inserted.

## Using and applying this update

This policy update supports the operation of the CIMS and is applicable from 17 June 2024. It should be read in conjunction with the Client incident management guide (the guide) and related summary documents, operational updates, and addenda that provide specific guidance for nominated program areas and service types.

The guidance provided in this update supersedes requirements and terminology in the guide and related documents in relation to:

* Incidents which are reasonably likely to seriously harm a client.
* Reporting of client gender.
* Services in scope of CIMS.
* New ‘Family violence and sexual assault services’ program type.
* Collection notices

For service providers using the department-built client incident register to capture and transmit incident-related information to the department, the changes outlined in this policy update are applicable from 17 June 2024.

Service providers that have chosen to use the application program interface (API) to submit client incident information from their existing IT platforms to the department are required to update their standalone systems by 17 June 2024. Operational guidance to support these changes has been provided on 28 March 2024.

Policy changes will not be applied retrospectively.

## New incident type - ‘Serious Risk’

CIMS is the framework for service providers in scope of the Social Services Regulator to fulfill their client incident reporting requirements under section 48(1) of the *Social Services Regulation Act* 2021. The introduction of a ‘serious risk’ incident type is required to ensure CIMS captures information required by the Regulator.

**Serious risk definition:**

To align with the *Social Services Regulation Act,* 2021, Serious risk is:

An incident that is reasonably likely to cause serious harm to a service user (s48(2)(b)).

Serious harm is defined in the *Social Services Regulation Act 2021* as:

* Death/Permanent or long-term serious impairment/Permanent of long-term serious disfigurement/Loss of foetus; and
* Permanent or long-term severe psychological injury or developmental delay.

All incidents of serious risk **must** be reported as non-major impact.

**Serious risk implementation guidance:**

When reporting ‘serious risk’ in the CIMS IT platform, the service provider must select from one of two drop down options:

* **Likely death/serious impairment:** Reasonably likely to cause Death / Permanent or long-term serious impairment / Permanent or long-term serious disfigurement / Loss of foetus; or
* **Likely serious psychological harm:** Reasonably likely to causepermanent or long-term severe psychological injury or developmental delay

Serious risk cannot be selected as a secondary incident type. If unsure whether to report under a different non-major category or serious risk, the serious risk incident type must be used.

**Table 1: Examples of a Serious risk incident**

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| **Case example** | **Serious risk** | **Reported under a different CIMS incident type** | **Not reported in CIMS** |
| A client attempts suicide |  | X (attempted suicide) |  |
| The roof of a residential care facility falls in, the client is in the room at the time but is not injured | X |  |  |
| A client participates in train surfing. No injuries are sustained. | X |  |  |
| A client reports being in a vehicle travelling at speeds of up to 120km/h in a residential area. | X |  |  |
| A client obtains an abortion |  |  | X |
| A client experiences a substance overdose. |  | X (explained injury) |  |
| A client returns home substance affected. Strategies to address/manage/support the client’s substance use is part of their case management plan. |  |  | X |

## Reporting of client gender

A new field has been added to report the gender the client identifies with for all clients involved in an incident. The gender options align with Victorian Government policy and recognises and respects the gender diversity of clients. The gender options available align with those currently reported in the Children, Youth and Families case management system, CRIS.

The gender field is a **non-mandatory field** in the *Client(s) involved in incident* page of CIMS reporting.

## Services in scope of CIMS

The terminology for the services in scope of CIMS has been updated to align with the *Social Services Regulations* 2023.

## New ‘Family violence and sexual assault services’ program type

A new program type has been added to the ‘Program’ drop down options on the Service details page of CIMS reporting, to improve the identification of incidents which occur in family violence and sexual assault services programs.

When selecting this program type, the service provider must select one of two drop-down options for the program service type:

* Family violence services; or
* Sexual assault services.

## Collection notices

Service providers, as part of their existing service agreement with the department, must issue collection notices to their clients. Most information about clients will have been collected ahead of any incident in scope of CIMS and should have been collected in line with the requirements and/or appropriate collection notices at the time.

When collecting personal information from non-clients, such as witnesses of an incident or the subject of allegation, the service provider must explain what information is being collected for the purposes of client incident reporting as required under the *Privacy and Data Protection Act 2014* and the *Health Records Act 2001*. A collection notice template has been developed to assist service providers . Providing this collection notice is not mandatory if the information is being conveyed to a clients and non-clients in another way. However, it is often difficult to ensure that an individual has been informed of each requirements under the *Privacy and Data Protection Act 2014* and the *Health Records Act 2001* without the use of a collection notice.

A collection notice explains what information is being collected, and how it will be collected, used, disclosed and stored. This includes how information may be shared with the Social Services Regulator under section 48(1) of the *Social Services Regulation Act* 2021. Collection notice templates are available on the [CIMS webpage](https://providers.dffh.vic.gov.au/cims) at <https://providers.dffh.vic.gov.au/cims>

## Appendix D: Accountability mechanisms for service providers

Appendix D, section D.3.5 has been updated to include the Social Services Regulator as an oversight mechanism with responsibility for reviewing the conduct and decisions of service providers.

The *Social Services Regulation Act* 2021 establishes a new framework for social services in Victoria. It begins on 1 July 2024.

The initiatives in the Act will:

* support the safe delivery of social services
* ensure social service providers understand their role in protecting the rights of social service users
* define roles and responsibilities of social service providers
* give the new regulator monitoring and enforcement powers, so they can respond to risks of harm
* improve information sharing between regulators so they can identify and respond to any risks of harm to service users.

The new system will mean Victorian social service providers will have:

* streamlined registration and reporting requirements,
* a common set of social service standards
* a single independent regulator.

The Social Services Regulator will replace the current Human Services Regulator.

The new system will be more efficient and create a safer environment for all Victorians.

CIMS is the framework for service providers to report serious incidents to the Regulator under section 48(1) of the *Social Services Regulations Act* 2021 (the Act). Section 36(2) of the *Social Services Regulations* 2023 details the prescribed information from CIMS that the Department will share with the Regulator to fulfill the requirements under section 48(1) of the Act.

See the [Social Services Regulation Reform website](https://www.dffh.vic.gov.au/social-services-regulation-reform) at <https://www.dffh.vic.gov.au/social-services-regulation-reform> for more details.