17 August 2023

SAPSE & Statutory Duty of Candour Forum

Commencing shortly...
17 August 2023

SAPSE & Statutory Duty of Candour Forum

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Forum rules

- Forum is being recorded
- Mics turned off until questions
- Use Q&A button to ask questions
- Can use pop-out function
- Be respectful
- Hands up function during questions
Acknowledgement of Country

We acknowledge the Traditional Custodians who have lived and loved this country through the vastness of time.

We honour the Wurundjeri People of the Kulin Nation whose country we stand on today. We pay our respects to the old people, to the Elders and Ancestors who are the safekeepers and caretakers of the oldest living culture on the planet.

For this is the very bedrock of this place, our shared home and our special identity in the world and the source of shared pride as Australians.

For this land always was, and always will be, Aboriginal Land.
We would also like to acknowledge people with lived experience of harm and recovery, and the experience of people who have been carers, families, or supporters.

We also recognise people with a lived experience of trauma, neurodiversity, family violence, mental ill health and substance abuse or addiction, and their families, carers and supporters.

Our appreciation extends to the clinical and non-clinical workforces that support people with lived experience.
About us

Safer Care Victoria is the state’s healthcare quality and safety improvement specialist.

Established in 2017, we bring a determinedly fresh and independent-minded approach to helping health services improve.

Our range of programs and projects may seem incredibly broad, but they all have the same goal – to support health services to get better and to help keep Victorians safe.
Agenda

Valid clinical incidents
Sentinel events
WorkSafe

SDC reporting
Upcoming resources
Community of practice
Valid clinical incidents

What makes a clinical incident ‘valid’?
### What makes a SAPSE?

<table>
<thead>
<tr>
<th>Appropriate consent process</th>
<th>Policy and procedure</th>
<th>Response to clinical deterioration</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Were risks / complications discussed as part of the consent process?</td>
<td>• Was policy or procedure not available, or not followed appropriately?</td>
<td>• Was there delay or lack of recognition or response to clinical deterioration?</td>
</tr>
<tr>
<td>Risk mitigation strategies</td>
<td>Level of harm</td>
<td></td>
</tr>
<tr>
<td>• Was there a lack of risk mitigation strategies, or were they inappropriate?</td>
<td>• Did the event lead to moderate or severe harm, or prolonged psychological harm?</td>
<td></td>
</tr>
</tbody>
</table>
VHIMS MDS review

- **June–Sept 2023**: MDS review
- **October 2023**: Release of proposals for change
- **November 2023**: Sector consultation
- **December 2023**: Release of final specification
- **July 2024**: Implementation of VHIMS MDS 2024-25

Questions? vhims2@vahi.vic.gov.au
Sentinel event review vs SAPSE review

SAPSE

ISR 1  Sentinel events  ISR 2
Sentinel event review vs. SAPSE review

When the panel and report requirements are met in legislation:

- The report is protected from use within a legal proceeding
- A sentinel event review is also a SAPSE review (protected review)
- Relevant protections apply to panel members and those that provided information to the review.
Recommended and Required review types

Flowchart 1. Recommended and required review types

- Not an adverse event. Document rationale as per policy and procedure, and complete open disclosure.
- Is this classified and verified as an APSE?*
- Event identified
- Is this classified and verified as an APSE?*
- ISR 1
- SDC
- ISR 2
- ISR 3
- ISR 4
- Non-SAPSE
- Open disclosure
- SAPSE*
- Is this a sentinel event?
- Yes
- Notify SCV
- Contact SCV
- No
- Unsure
- Must form a panel and conduct a SAPSE review*
- Formal review
  - RCA2
  - London Protocol
  - Accimap
  - (Not In-depth case review)
- May form a panel and conduct a SAPSE review*
- Formal review
  - RCA2
  - London Protocol
  - Accimap
  - In-depth case review
- Local/Aggregate review (recommended)
  - However could complete a formal review:
    - RCA2
    - London Protocol
    - Accimap
    - In-depth case review
- At CEO discretion. Otherwise formal review would still be required

+ See definitions.
* Meets the SAPSE definition within the Health Services (Quality and Safety) Regulations 2020.
^ Requirements within Division 8 of Part SA of the Health Services Act 1988, as well as the regulations must be complied with for all relevant protections to apply.
# As per the Australian Open Disclosure Framework: The Australian Open Disclosure Framework | Australian Commission on Safety and Quality in Health Care.
Sentinel Events Portal and reports

Only submit sentinel events to the portal

• Not all SAPSE reviews, only those that are sentinel events
• "SAPSE meeting SE criteria"- will be heading of report
• Names have been removed, only role is displayed
• Consider the audience for the report, as it will also include the affected consumer and/or family members or carers
Criminal or intentionally unsafe acts

**Examples**
- A criminal offence
- Abuse
- Deliberately unsafe acts

**Actions**
- Inform clinical risk team/CEO
- Notify relevant authorities
- Obtain legal advice
- Amend SDC process accordingly
SDC, SAPSE reviews and WorkSafe

If WorkSafe commence an investigation, the OH+S Act does **not** override the HS Act i.e. the SDC or SAPSE review process.

Health services should:

- Review what notifiable incidents are to WorkSafe
- Continue the SDC/SAPSE review process
- Know what information they can legally share

Report an incident: Criteria for notifiable incidents | WorkSafe Victoria
# SDC reporting update

<table>
<thead>
<tr>
<th>Quarter SAPSE identified</th>
<th>6-month period of SDC process</th>
<th>Due date for submission of SAPSE events</th>
<th>Which report to select in HealthCollect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Q3: Jan – Mar 2023 (voluntary)</td>
<td>Jan – Jun 2023</td>
<td>1 – 14 July 2023</td>
<td>Q3 22-23</td>
</tr>
</tbody>
</table>

*1st mandatory report due
SDC reporting update

SDC reporting

No. of SAPSE

Instances SDC commenced

Instances SDC report provided

Instances opted out of SDC

Jul Aug Sep Oct Nov Dec Jan

Report due 14th of the month

*63 business days in this quarter.* OFFICIAL

Choose Q1 2023-24 report (open 1-14 January)
Community of practice

- Health service led with SCV support
- Share knowledge and learnings
- Provide resources and support
What makes open disclosure and the Statutory Duty of Candour successful in your service?
Questions and open forum
<table>
<thead>
<tr>
<th>Resource or Project</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>APSE policy and guideline</td>
<td><em>available</em></td>
</tr>
<tr>
<td>Fundamentals online training</td>
<td><em>available</em></td>
</tr>
<tr>
<td>VHIMS MDS review</td>
<td><em>underway</em></td>
</tr>
<tr>
<td>Victorian Sentinel Event Guide revision</td>
<td><em>underway</em></td>
</tr>
<tr>
<td>In-depth case review tool</td>
<td><em>underway</em></td>
</tr>
<tr>
<td>Multi-agency review resources</td>
<td><em>underway</em></td>
</tr>
<tr>
<td>Morbidity &amp; Mortality project</td>
<td><em>underway</em></td>
</tr>
<tr>
<td>SCV website upgrade project</td>
<td><em>underway</em></td>
</tr>
<tr>
<td>Translation of SDC consumer resources</td>
<td><em>planning</em></td>
</tr>
</tbody>
</table>
Feedback

https://forms.office.com/r/YjriYeQdhz

SDC and SAPSE Forum - 17 August 2023
Resources

Project email: dutyofcandour@health.vic.gov.au
Sentinel event team: sentinel.events@safercare.vic.gov.au
VHIMS team: vhims2@vahi.vic.gov.au

The Act: Health Legislation Amendment (Quality and Safety) Act 2022

SDC and SAPSE reviews website: Statutory Duty of Candour and protections for SAPSE reviews | Safer Care Victoria

Patient resources: Resources for patients, families and their carers | Safer Care Victoria

Online modules: Learning and education | Safer Care Victoria

APSE policy and guideline: Adverse event review and response | Safer Care Victoria

Partnering with consumers on reviews guide: Consumer representatives on review teams guide.pdf (safercare.vic.gov.au)

Adverse Event Reviews: Guide for Consumers Adverse Event Reviews : A guide for Consumer Representatives

Subscribe to SCV newsletter: Subscribe | Safer Care Victoria
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Thank you for your time. Have a good day!