



<b>Institution</b>	Mercury Institute of Victoria
<b>Policy Name</b>	Critical Incident Policy and Procedure
<b>Policy Governance</b>	Compliance Manager
<b>Reference to Standards</b>	National Code 2018 - Standard 6 Overseas student support services
<b>Date of Approval</b>	June 2020
<b>Review Date</b>	June 2021
<b>Version No.</b>	4.0

## PURPOSE

The purpose of this policy and procedure is to define the system available to students and staff for dealing with critical incidents and to meet the standards that govern this Policy and Procedure.

Mercury Institute of Victoria establishes this policy and procedure to:

- Comply with the requirements of the National Code 2018 - Standard 6 Overseas student support services

## SCOPE

To articulate Mercury Institute of Victoria practices applicable to students and staff in compliance with the ESOS legislation. The critical incidents covered in this procedure may occur at the teaching location or after hours.

## 1. POLICY

Mercury Institute of Victoria will work towards establishing a safe environment and take appropriate action in response to incidents which affect, or have the potential to affect, the health, safety or wellbeing of staff, students, or other persons.

Mercury Institute of Victoria ensures that incidents are appropriately reported and managed in a way that is responsive to the immediate circumstances of the incident, the rights of those involved, and the need to ensure that any risks of recurrence are minimised as far as possible.

The intent of this policy is to ensure that critical incidents are appropriately reported in a timely manner. Such reporting supports the:

- Resolution of the immediate issues and fulfil external reporting obligations arising from a specific incident;
- Consistent recording of circumstances relating to incidents;
- Identification evaluation and mitigation of systematic risks associated with services; and
- Development and maintenance of a service culture in which the safety and wellbeing of clients, staff and other persons is actively managed and is subject to continuous improvement.

A critical incident is an incident, whether accidental or deliberate, that:

- a) Involves a student, a staff member, or a member of the public; and
- b) Occurs regardless of whether a staff member is present or witnesses the event and involves:
  - i. Death; or
  - ii. Risk of death; or
  - iii. Abuse, neglect or exploitation; or
  - iv. Risk of abuse, neglect or exploitation; or
  - v. Serious harm or injury; or
  - vi. Serious risk of harm or injury; or
  - vii. Other incidents, including for example:
    - Alleged criminal activity;
    - Inappropriate sexual behaviour by a student;
    - Property damage resulting in closure of a service, such as destruction of premises by fire;

- Emergency situation, e.g. bomb threats, hostage situations, natural disaster.

## 2. PROCEDURE

Where a Critical Incident is identified the following procedures must occur. As part of the reporting process, the CEO/Compliance Manager will confirm that the incident falls under the definition of a 'Critical Incident'.

### Reporting

- When a staff member feels a critical incident has occurred, they are required to contact emergency services where required and contact the CEO and Compliance Manager immediately.
- If immediate action is required, then emergency services (police, ambulance or fire brigade as appropriate) are to be contacted and advised of the situation. All personnel are to be cleared from any dangerous areas. Contact should be made with the family of any student involved.
- An '*Incident Report Form*' is to be completed by the appropriate staff member involved in the incident or notification of the incident. Where appropriate, the report will be completed/verified by the Administration Manager/Compliance Manager and given to the CEO.
- The '*Incident Report Form*' is to contain as much information as possible, and indicate the people directly involved in the incident.

The Educational Services for Overseas Students Act (ESOS Act) requires Compliance Manager/CEO to notify the Department of Education, Skills and Employment and Department of Home Affairs as soon as practical after the incident and in the case of a student's death or other absence affecting the student's attendance, the incident will need to be reported via the Provider Registration and International Student Management System (PRISMS).

### During Operating Hours

- Students and staff members are required to report any critical incident involving a student immediately to the Compliance Manager.
- Compliance Manager will consider the details and severity of the incident and determine what action needs to be taken.
- If the incident is not severe and can be resolved with resources available, the Compliance Manager will initiate the action to ensure the appropriate level of support is provided.
- If the incident is severe and warrants a level of support/assistance from external resources Compliance Manager will initiate action to arrange that support. Personal details may be provided to the relevant emergency service(s) if the student involved is incapacitated and unable to provide these particulars themselves.
- Compliance Manager will determine, based on the severity of the incident and in conjunction with Mercury Institute of Victoria policies, whether other Mercury Institute of Victoria staff and family members of the student(s) involved need to be advised of the details of the incident. The CEO and Compliance Manager will take the necessary action.

### Outside Operating Hours

- Students and staff are required to report any critical incident involving a student immediately to the CEO.
- Compliance Manager will contact the Administration Manager who will gain access to the records of the student(s) involved to enable verification of details to any emergency services.
- CEO or Compliance Manager will determine if there is any care or support required to be provided and make the necessary arrangements.
- Compliance Manager/CEO will determine in conjunction with Mercury Institute of Victoria Solicitor (if required) whether other Mercury Institute of Victoria staff or family members need to be advised of the details of the incident. They will take the necessary action.

### Follow Up Action

Compliance Manager will ensure that:

- 1) Any required follow up such as de-briefing, counselling and prevention strategies have

- been completed;
- 2) All staff and students involved in the incident have been informed of all outcomes from the incident;
  - 3) A recommendation as to the response to the critical incident is documented and included in the *Incident Report Form*;
  - 4) Any further follow up required is documented and responsibilities allocated to appropriate staff;
  - 5) Monitor the condition of and provide appropriate support to the student/s through any period of treatment/convalescence;
  - 6) Liaise with the police and other emergency services personnel;
  - 7) Advise and assist any family members who decide to travel to Australia to support the student/s with travel and accommodation requirements;
  - 8) Ensure that detailed records are maintained on the student's records of the incident. These records must be recorded in date order and kept in the student file.

### **Concluding Steps**

In the event of the death of a Student, the Compliance Manager/CEO will ensure the following is undertaken:

- 1) Contact the family and determine their wishes regarding repatriation of the body, personal effects, religious observances etc.;
- 2) Coordinate the repatriation of the body and personal effects in line with the family's wishes and in accordance with Australian regulations;
- 3) Organise the sending of a letter of condolence to the family;
- 4) Ensure all administrative actions are taken, e.g. adjust the Student Management System, process any refunds, and notify PRISMS.

### **Public Relations**

Where the circumstances of a critical incident involving a student(s) is considered to have some public relations implication, the CEO or Compliance Manager are the only authorised spokespersons to speak to media representatives on behalf of Mercury Institute of Victoria.