SLS Notifications for suspected alleged sexual assault or misconduct

SLS Topic Guide

This topic guide is intended for Safety and Quality, Risk Managers, Patient Safety Consultants (or similar positions) and Senior Managers who have delegated responsibility for the formal reporting and management of incidents of suspected or alleged sexual assault or misconduct of an adult that occur at a SA Health facility or service within the Safety Learning System (SLS).

Policy context

The Suspected or Alleged Sexual Assault or Misconduct Policy provides direction for SA Health staff in the management of incidents associated with unwanted or criminal sexualised activity.

Definitions

SLS notifications are required for all suspected and alleged sexual assault or misconduct incidents and are initiated from the notification module of the SLS. For the purposes of this fact sheet, sexual assault and misconduct are defined as:

Sexual assault: means any type of unwanted sexual activity that makes a person feel uncomfortable or unsafe including rape, compelled sexual manipulation or indecent assault.

Sexual misconduct: means unlawful sexual harassment including but not limited to, approaching others for sexual favours through solicitation, compelled sexual manipulation, consensual sexual activity with or without touch between a staff member and a patient in their care (non-consensual sexual activity involving a staff member and a patient is sexual assault), masturbation or exposure of genitals in public, or production of pornographic material.

Reporting timelines for a suspected alleged sexual assault or misconduct

Designated Safety and Quality staff or Senior Managers must complete a SLS notification within the required timeframes in one of the three categories below:

- Category 1: Within 24 hours includes rape or sexual assault of an adult, production / circulation of pornographic images, sharing of child exploitation material, sharing of pornographic images with a minor, or solicitation.
- Category 2: Within 48 hours is related to staff behaviour that involves consensual sexual activity with a patient in their care, sexual harassment or sexualised behaviour of a patient or visitor by a staff member.
- Category 3: Within 48 hours is related to patient or visitor behaviour that involves consensual sexual activity in an acute inpatient facility, sexual harassment or sexualised behaviour that is intrusive, offensive, disruptive, or otherwise of a concerning nature where both participants have mental capacity.

Access to the SLS Notifications Module

Access to the SLS notifications module is restricted because of the confidential and sensitive nature of these matters.

Staff who require access as part of their role and responsibilities are advised to contact the Safety and Quality Manager for their Local Health Network or Service in the first instance.

Using the Notifications Module for a suspected or ASA or misconduct

This module is designed to record details of the incident that are known at the time of the report.

> To record an incident:
  - Select ‘Notifications’ in your top tool bar of the logged in version of SLS.
  - Select ‘Add a new Notification’
  - Add the type of notification and category details to the free text field relevant for a suspected or ASA or misconduct incident e.g., ‘ASA – Category 1 or 2 or 3’
  - Select the reason for notification from the drop-down list, e.g., ‘Alleged Sexual Assault or Sexual Misconduct’.

> Complete all known details (noting those with an asterisk are mandatory fields):
  - *LHN
  - *Cluster
  - *Health Unit
  - *Person Making Notification
  - *Contact Phone Number
  - *Date of Notification
  - Date of Incident
  - Category of Report
  - Alleged Victim type
  - Victim Date of Birth
  - Alleged Perpetrator type
  - Did the incident involve a mental health patient, a mental health worker or occur in a mental health treatment centre.

> Provide a short, factual ‘Description of the event’. This should include:
  - A brief description of the allegation and how it came to be made, by whom and to whom. Actions taken post the allegation to ensure the ongoing safety and support of the alleged victim (such as separating the alleged victim and the alleged offender, medical assessments, the use of patient minders or security guards).
  - Whether the services of yarrow place have been offered to the alleged victim and if they accepted or refused those services,

- Any relevant background information (such as cognitive deficits or relevant diagnosis).

> Add relevant details of notifications and/or referrals including:

- SAPOL notification and report number
- Referral to Yarrow Place
- Briefings to LHN/Service CEO / DHW CE

> Add in known additional notifications from the drop-down list, these could include AHPRA, HCSCC, etc.

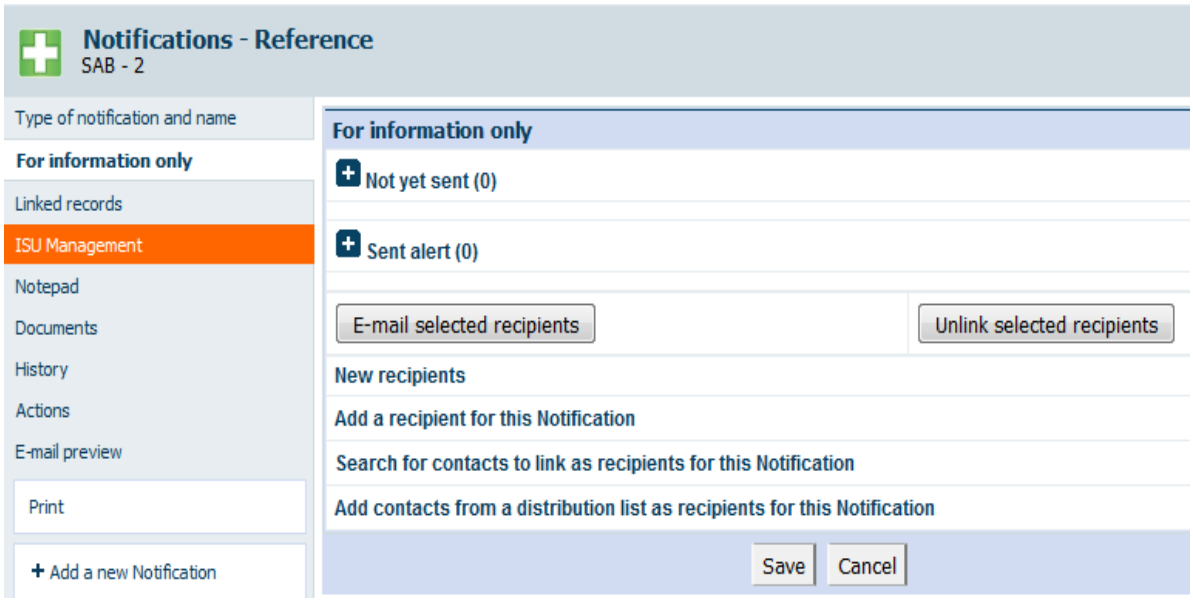
> Relevant documents should be added to the 'documents' tab

> Other relevant SLS records (eg incidents or complaints) should be linked via the 'linked records' tab.

Making sure that those who need to know are informed

There are no automatic emails from the Notifications module, therefore notifiers are required to generate the emails from withing SLS using the pre-set distribution lists.

Once a notification has been saved, return to the record of the event. The tab **'For information only'** appears on the top left of the page. Use this section to select which staff need to be notified by an email generated from the distribution lists relevant to your LHN or Service.



> Select 'Add contacts from a distribution list as recipients for this Notification'.

> On the 'Distribution list linking options' screen select your required distribution list from the drop-down options provided.

> All distribution lists should be linked as 'Information Only'.

> Click 'Link distribution list contacts'.

- In addition to local LHN/Service distribution list, additional distribution lists are required when the event:
  - is classed as a 'Category One', add distribution list 'ASA Notification - DHW'.
  - involved a worker, add the distribution list 'ASA Notification - WHS'.
  - involved a mental health worker or took place in a mental health treatment centre, add the distribution list 'ASA Notification - Mental Health'.
- Once all required distribution lists have been added, click on "Not yet sent" and select all names that you require to be sent an email.
- Select 'E-mail selected recipients' to action the notification emails.
- Go to the bottom of the page and click "Save".

NOTE: LHNs and Services are required to ensure their respective email list is current. Changes to distribution lists should be requested via their local SLS Administrators through the Service Desk tab within the SLS.

Related Documents

Suspected or Alleged Sexual Assault or Misconduct Policy

Suspected or Alleged Sexual Assault reporting requirements flow chart

FAQ Responding to suspected or alleged sexual assault and misconduct

For more information

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