

Accident, Incident Reporting and Investigation Procedure



Policy No:	PD/15[V2]	Record No:	58214
Version:	2.0	Last Amendment:	
Policy owner/sponsor:	Director, Operations & Infrastructure and CFO		
Branch contact:	Senior WHS Consultant		
Approved by:	State Library Executive		
Date approved:	06 November 2018		
Next review:	06 November 2021		

Purpose

This procedure aims to ensure all accidents and incidents are reported, recorded and investigated. A risk management approach is applied to the findings of accidents and incident investigations so hazards identified are controlled using the Hierarchy of Control and ensure that agreed preventative and corrective actions are implemented, monitored and reviewed for effectiveness.

Target audience

The Library Executive Committee, all workers, including State Library employees, readers and work experience students.

Operational requirements

When an accident/incident occurs

- Take immediate action to minimise the risk of further injury or damage (for example, isolating the hazard, evacuation, containing spills). In case of injury, depending on the severity and the injured worker's preference, appropriate first aid or medical attention should be sought.
- All work-related accidents and incidents must be reported to the immediate people leader as soon as reasonably practicable after they occur and, via the Library's On-line Incident Report Form found on the Intranet. (**See Annexure 1 for instructions on completing the form**).

All serious and notifiable accidents/incidents

- Notifiable Incidents are defined in **[annexure 2]**
- Notifiable incidents must be reported to the People Leader and Senior WHS Consultant (ext 1418) **immediately** (in the absence of the Senior WHS Consultant report to be made to manager human Resources
- The Senior WHS Consultant will notify Safe Work NSW of the accident/incident immediately (phone 13 10 50) and inform the State Librarian as soon as possible.

- The person responsible for managing or controlling the area where a notifiable accident/incident has occurred must ensure, so far as is reasonably practicable, that the site where the incident occurred is not disturbed – including any plant, substance, structure or thing associated with the notifiable incident until an inspector from Safe Work NSW arrives at the site or any earlier time the inspector directs.
- Workers may take such steps as are necessary:
 - to assist an injured person,
 - to allow emergency services to remove a deceased person, or
 - that is essential to make the site safe or to minimise the risk of a further notifiable incident
 - to comply with a police investigation or
 - with an inspector of the regulator where permission has been given.

Incident Outside of normal working hours

- When an incident occurs outside of normal working hours, the Security Coordinator rostered on the day and/or the Officer in Charge in the reading rooms will determine if notification to Safe Work NSW is required.
- All completed documentation must be passed onto the Senior WHS Consultant on the next available working day.

Incident Investigation

The immediate People Leader will investigate the accident/incident in consultation with the Health and Safety Committee member representing the area and the worker involved where possible. The Senior WHS Consultant will also be available to give necessary advice at any time during the investigation.

The focus of the investigation is to obtain an accurate picture of what occurred by:

- Examining the accident scene and recording any physical evidence related to the event.
- Interview people involved or any witnesses
- Review background information such as procedures for the work being carried out, maintenance reports, training reports or previous similar events.

For serious and notifiable incidents, the findings of the investigation, including relevant corrective actions must be recorded in the form of a report addressed to the Executive Committee member representing the area.

For less serious incidents investigation details, can be noted on the Incident Report form along with any correction actions.

Corrective and preventative actions

All stake holders involved in the investigation must identify corrective or preventative actions required to prevent the accident or incident reoccurring.

Risks are rated in accordance with the Library's WHS Risk Management Matrix. Control measures selected in descending order from the Hierarchy of Controls. Depending on the outcome of the investigation, both short and long-term control measures may be required. See Risk Management Guidelines for further clarification.

Monitor and Review actions for effectiveness

The immediate people leader will

- Track and monitor the implementation of corrective/preventive actions
- Evaluate controls for effectiveness in consultation with workers in the affected area and any other stakeholders
- Review any new hazards as they are identified
- Include new control measures into the workplace inspection process
- Communicate outcome of incident investigation to the Senior WHS Consultant so results can be added to the appropriate TRIM file.
- Close out any outstanding corrective or preventative actions and report.

Responsibilities

The Executive Committee will

- provide leadership and direction to ensure accidents and incidents are managed efficiently and all reporting requirements are met
- ensure the Library's accident and incident reporting and investigation process is included in all inductions
- ensure managers and people leaders are trained in the requirements for reporting and investigating accidents and incidents
- ensure resources required to implement agreed preventative and corrective actions are available and dealt with as a priority.

Managers and People Leaders will

- ensure that all staff under their control are aware of the content of this procedure
- undertake training provided on the reporting and investigation of accidents and injuries
- complete managers section of the Incident Report Form (even when no injury is apparent)
- report serious or notifiable incidents to the Senior WHS Consultant who will report incident to Safe Work NSW.
- be part of incident investigation team as required
- when part of an investigation team, apply a risk management approach so that hazards are identified and dealt with in line with the Hierarchy of Controls
- ensure agreed preventative measures and corrective measures are implemented, monitored and reviewed

- maintain privacy and confidentiality of personal and health information in accordance with NSW privacy legislation

Workers will

- be aware of requirements for reporting of accidents and incidents
- report all incidents and accidents as soon as reasonable practicable on the Incident Report Form and send to immediate people leader
- maintain privacy and confidentiality of health information pertaining to an injured worker in accordance with NSW privacy legislation

Senior WHS Consultant will

- ensure that all serious and notifiable incidents are reported to Safe Work NSW, the State Librarian, Director Operations and Infrastructure & CFO and Manager Human Resources
- monitor and update Incident Report Form
- assist in incident investigations including identifying preventative and corrective actions including implementation and review
- keep induction information relating to incident investigation up to date and explain the process at inductions
- ensure that WHS training for managers and people leaders including the incident and accident reporting and investigation process is reviewed and maintained
- reports all accidents to the Health and Safety Committee, Executive Committee, Audit and Risk Committee and Library Council
- ensure that all accidents and incidents are recorded on a Library Incident Register and retained on a TRIM file
- maintain privacy and confidentiality of personal and health information in accordance with NSW privacy legislation

WHS Committee/ Health and Safety Representative

- Receive and review data on accidents and incidents reported
- Participate in the incident investigation process as required
- Monitor and review the corrective action for effectiveness

Related Key Legislation and Policy

- Work Health and Safety Act 2011
- Work Health and Safety Regulation 2011
- Government Information (Public Access) Act 2001
- Australia/ New Zealand Standard AS/NZS 4801/2001
- State Library Work Health and Safety Policy
- State Library Risk Management Procedure

Key definitions

Accident means an unplanned occurrence or incident that causes or contributes to personal injury or property damage.

Incident means any unplanned event resulting in, or having a potential for injury, ill health, damage or other loss (as defined by Australian/New Zealand Standard AS/NZ 4801:2001).

Worker means a person who carries out work in a capacity for the PCBU. A worker includes an employee, apprentice, trainee, contractor, sub-contractor, an employee of a labour hire company, work experience student, outworker or volunteer.

Hierarchy of Control is a range of control measures in priority order, that can be used to eliminate or minimise exposure to hazards.

Serious or Notifiable Incident

Only the most serious health and safety incidents are notifiable, and only if they are work related. They trigger requirements to preserve the incident site pending further direction from the regulator (Safe Work NSW).

Attachments

Annexure 1 – Instructions on completion of Incident Report Form

Annexure 2 - Safe Work Australia – Incident Notification Fact Sheet

Document history and version control

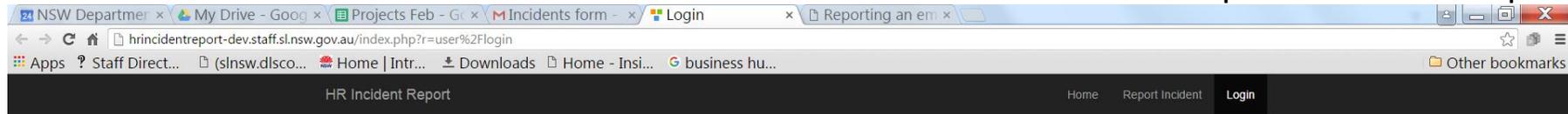
Version	Date approved	Approved by	Brief description
1.0	06/11/2018	State Library Executive	New procedure

**Annexure 1 Instruction on
completion of WHS Incident Report Form**

Step 1 Logon

When you click on the Incident Report Form Link (always ensure you are in Chrome or Firefox, not Internet Explorer) you will be brought to the screen below. Logon with your normal system Login and Password.

Annexure 1 Instruction on completion of WHS Incident Report Form



Home / Login

Login

Please enter your regular computer login:

Username

Password

Please only access the HR Incident Report Tool using Chrome or Firefox.

Login



Step 2

When you log into the Incident Report Form this is the screen you will see.

Annexure 1 Instruction on completion of WHS Incident Report Form

The screenshot shows a web browser window displaying the HR Incident Report application. The browser tabs include 'Incidents form', 'HR Incident Rep...', and 'Home - InsideSL...'. The address bar shows 'hrincidentreport-dev.staff.sl.nsw.gov.au'. The application header features the 'STATE LIBRARY NEW SOUTH WALES' logo, a 'COMMUNITY' banner with 'FIRST AID' and 'WORK HEALTH & SAFETY' text, and a 'Human Resources' button. A 'Report Incident' button is prominently displayed. Below this, there are three sections for incident reporting: 'All reported incidents', 'Incidents reported by my staff members', and 'Incidents reported by me'. The 'Incidents reported by me' section shows one incident reported by Joe Blow on 2016-02-23 at 16:27:59.

All reported incidents

ID	Name	Branch/Division (if applicable)	Phone number (Work)	Created At
No results found.				

Incidents reported by my staff members

ID	Name	Branch/Division (if applicable)	Phone number (Work)	Created At
No results found.				

Incidents reported by me

Showing 1-1 of 1 item.

ID	Name	Branch/Division (if applicable)	Phone number (Work)	Created At	
26	Joe Blow	CAD/LIS	9999 2226	2016-02-23 16:27:59	update

- You will not see the “All Reported Incidents” box
- “Incidents Reported by me” is anything that you have reported personally
- “Incidents Reported by my Staff Member” is anything that you record as a people leader

Step 3

If you are reporting an incident, you will fill out Parts A and B

Annexure 1 Instruction on completion of WHS Incident Report Form

Incidents form - x Incident Report x HR Incident Rep x Home - InsideSL x

hrincidentreport-dev.staff.sl.nsw.gov.au/index.php?r=incident-report%2Fcreate

Apps Staff Direct... (slnsw.dlsc... Home | Intr... Downloads Home - Insi... business hu... Other bookmarks

HR Incident Report Home Report Incident Logout (jjardner)

Home / Incident Report

Incident Report

PART A - Details of the person involved

Name
Joe Blow

Status
Employee

Branch/Division (if applicable)
CAD/LIS

Phone number (Work)
9999 2226

Phone number (Home, if known)

PART B - Accident/Incident details

Date of the incident
2016-02-18

Time of the incident
04:15 PM

Where did the incident occur?
At usual workplace

Where was the exact location of the incident?
Mitchell Stack 1

2.0.6 PHP 5.5.9-1ubuntu4.14 Status 200 Route incident-report/create Log 25 Time 52 ms Memory 3.7 MB DB 9 7 ms Asset Bundles 14

4:26 PM 23/02/2016

Annexure 1 Instruction on completion of WHS Incident Report Form

Incidents form - x Incident Report x HR Incident Rep: x Home - InsideSL x

hrincidentreport-dev.staff.sl.nsw.gov.au/index.php?r=incident-report%2Fcreate

Apps Staff Direct... (sl.nsw.dlsco... Home | Intr... Downloads Home - Insi... business hu... Other bookmarks

HR Incident Report Home Report Incident Logout (jgardner)

What was the cause?

Code 0 Falls, trips and slips

Describe how the incident happened (The chain of events involved in the incident)

Fell over a trolley

Describe immediate actions taken

Got up put on a bandaid

If the incident resulted in an injury or disease, describe which body parts were affected and how

Knee

If the incident resulted in an injury or disease, describe what treatment was given immediately after the incident

Bandaid

Enter your supervisors email

marissa.duncan@sl.nsw.gov.au

Save and send to Supervisor

2.0.6 PHP 5.5.9-1ubuntu1.14 Status 200 Route incident-report/create Log 25 Time 52 ms Memory 3.7 MB DB 9 7 ms Asset Bundles 14

4:27 PM 23/02/2016

Annexure 1 Instruction on completion of WHS Incident Report Form

Step 4

Part D is completed by Supervisor/Team Leader

HR Incident Report Home Report Incident Logout (jgardner)

Knee

If the incident resulted in an injury or disease, describe what treatment was given immediately after the incident

Bandaid

PART D - Completed by Manager/Supervisor

Name **Extension number**

Is this a notifiable incident?: No If yes, notify the Senior WHS Consultant immediately
[Further information on notifiable incidents](#)

Additional comments

Joe suffered a fall over the trolley and is ok and this minor issue was unable to be prevented as he was working with the trolley at the time.

Recommended corrective and preventive actions

	Action	Person/s responsible	Due date	Completion date
1	<input type="text" value="Nil"/>	<input type="text"/>	<input type="text"/> <small>(Format should be YYYY-MM-DD)</small>	<input type="text"/> <small>(Format should be YYYY-MM-DD)</small>

2.0.6 PHP 5.5.9-1ubuntu4.14 Status 200 Route incident-report/update Log 32 Time 82 ms Memory 3.6 MB DB 16 10 ms Asset Bundles 9

2:57 PM 25/02/2016

Annexure 1 Instruction on completion of WHS Incident Report Form

Step 5

Part E This is competed by Senior WHS Consultant

The screenshot shows the 'HR Incident Report' web application. The browser tabs include 'HR Incident Rep...', 'Incident Report', 'NSW Departem...', 'My Drive - Goog...', 'NSW Departem...', and 'Special exhibitio...'. The address bar shows the URL 'hrincidentreport-dev.staff.sl.nsw.gov.au/index.php?r=incident-report%2Fupdate&id=26'. The page header includes 'HR Incident Report', 'Home', 'Report Incident', and 'Logout (jgardner)'. The main content area is titled 'Recommended corrective and preventive actions' and contains a table with one row:

	Action	Person/s responsible	Due date	Completion date
1	Nil		(Format should be YYYY-MM-DD)	(Format should be YYYY-MM-DD)

Below this table is the section 'PART E - WHS Consultant Use Only'. It contains the following form fields and options:

- Name:** John Gardner
- Extension number:** 1418
- Further investigation required?** Yes No
- Workplace insurer &/or SafeWork NSW notified?** Confirmed Not applicable
- Details of further follow up action that is required (attach additional information where required)**

The follow-up actions table contains one row:

	Action	Person/s responsible	Due date	Completion date
1	Ensure trolleys are moved so that they can be moved	Jg	0000-00-00 (Format should be YYYY-MM-DD)	0000-00-00 (Format should be YYYY-MM-DD)

Below the table is an 'Add action' button. Further down, there is a section 'Investigation results given to relevant parties' with radio buttons for Yes and Not applicable, and a 'Save' button at the bottom.

The footer of the application shows technical details: 2.0.6 PHP 5.5.9-1ubuntu4.14, Status 200, Route incident-report/update, Log 32, Time 82 ms, Memory 3.6 MB, DB 16 10 ms, Asset Bundles 9. The system tray shows the date and time: 3:01 PM 25/02/2016.

Annexure 1 Instruction on completion of WHS Incident Report Form

Step 6

This is a report in PDF generated by the system run by the Senior WHS Consultant

SENSITIVE: PERSONAL

PART A - Details of the person involved

Name	Joe Blow
Status	Employee
Branch/Division (if applicable)	CAD/LIS
Phone number (Work)	9999 2226
Phone number (Home, if known)	

PART B - Accident/Incident details

Date of the incident	2016-02-18
Time of the incident	04:15:00
Where did the incident occur?	At usual workplace
Where was the exact location of the incident?	Mitchell Stack 1
What was the cause?	Code 0 Falls, trips and slips
Describe how the incident happened (The chain of events involved in the incident)	Fell over a trolley
Describe immediate actions taken	Got up put on a bandaid
If the incident resulted in an injury or disease, describe which body parts were affected and how	Knee
If the incident resulted in an injury or disease, describe what treatment was given immediately after the incident	Bandaid

PART C - Signature of person completing the form

Signature	Date
Role	

State Library of NSW INCIDENT REPORT

SENSITIVE: PERSONAL

Telephone number

Annexure 1 Instruction on completion of WHS Incident Report Form

HR Incident Rep... HR Incident Rep... IncidentReport_2... NSW Departme... My Drive - Goog... NSW Departme... Special exhibitio...

file:///U:/_Downloads/IncidentReport_26.pdf

Apps ? Staff Direct... (slsw.dlsc... Home | Intr... Downloads Home - Insi... business hu... Other bookmarks

State Library of NSW **SENSITIVE: PERSONAL** INCIDENT REPORT

SENSITIVE: PERSONAL

PART D - Completed by Manager/Supervisor

Name	Marissa Duncan
Extension number	1787
Is this a notifiable incident?	0
Notified by	
Notified date	
Notified time	06:00:00
Notified by	
Notified date	
Notified time	06:00:00
Additional comments	Joe suffered a fall over the trolley and is ok and this minor issue was unable to be prevented as he was working with the trolley at the time.

Recommended corrective and preventive actions

Action	Person/s responsible	Due date	Completion date
1	Nil		

Signature Date

3:05 PM 25/02/2016

Annexure 1 Instruction on completion of WHS Incident Report Form

State Library of NSW **SENSITIVE: PERSONAL** INCIDENT REPORT

PART E - WHS Consultant Use Only

SENSITIVE: PERSONAL

Name	John Gardner
Extension number	1418
Further investigation required?	0
Workplace insurer &/or SafeWork NSW notified?	0

Details of further follow up action that is required (attach additional information where required)

Action	Person/s responsible	Due date	Completion date
1 Ensure trolleys are moved so that they can be moved	Jg	0000-00-00	0000-00-00

Investigation results given to relevant parties

Signature Date

State Library of NSW **SENSITIVE: PERSONAL** INCIDENT REPORT

3:06 PM
25/02/2016

This document will then be printed and the Senior WHS Consultant with the ask all parties to sign the form.

This with then be kept as a permanent record of the Incident.

Annexure 1 Instruction on completion of WHS Incident Report Form

Final Outcome

HR Incident Report

Home Report Incident Logout (jgardner)

STATE LIBRARY®
NEW SOUTH WALES

Collect
Connect
COMMUNITY

FIRST AID

WORK HEALTH
& SAFETY

Human Resources

Report Incident

All reported incidents

Showing 1-1 of 1 item.

ID	Name	Branch/Division (if applicable)	Phone number (Work)	Created At	
26	Joe Blow	CAD/LIS	9999 2226	2016-02-23 16:27:59	print update delete

Incidents reported by my staff members

ID	Name	Branch/Division (if applicable)	Phone number (Work)	Created At	
No results found.					

Incidents reported by me

Showing 1-1 of 1 item.

ID	Name	Branch/Division (if applicable)	Phone number (Work)	Created At	
----	------	---------------------------------	---------------------	------------	--

2.0.6 PHP 5.5.9-1ubuntu4.14 Status 200 Route site/index Log 36 Time 86 ms Memory 3.6 MB DB 19 1.0 ms Asset Bundles 7

3:09 PM
25/02/2016

The incident is now reported on the Senior WHS Consultant's home page, this is now the incident register for the Library.

If you reported the incident it will show as "Incidents reported by me"

**Annexure 1 Instruction on
completion of WHS Incident Report Form**

If you are a supervisor/team leader it will be reported as “Incidents reported by my staff members”.

INCIDENT NOTIFICATION INFORMATION SHEET

Overview

This information sheet provides general guidance on mandatory reporting requirements for 'notifiable incidents' under Work Health and Safety (WHS) legislation.



Businesses and undertakings must notify their work health and safety regulator of certain 'notifiable incidents' at work. This information sheet will help you decide when you need to notify the regulator of a work-related death, injury, illness or dangerous incident.

Work health and safety regulators are committed to preventing work-related deaths and injuries. Notifying the regulator of 'notifiable incidents' can help identify causes of incidents and prevent similar incidents at your workplace and other workplaces.

The WHS law requires:

- a 'notifiable incident' to be reported to the regulator immediately after becoming aware it has happened
- if the regulator asks—written notification within 48 hours of the request, and
- the incident site to be preserved until an inspector arrives or directs otherwise (subject to some exceptions).

Failing to report a 'notifiable incident' is an offence and penalties apply.

What is a 'notifiable incident'

A 'notifiable incident' is:

- the death of a person
- a 'serious injury or illness', or
- a 'dangerous incident'

arising out of the conduct of a business or undertaking at a workplace.

'Notifiable incidents' may relate to any person—whether an employee, contractor or member of the public.

Serious injury or illness

Only the most serious health or safety incidents are notifiable, and only if they are work-related. They trigger requirements to preserve the incident site pending further direction from the regulator.

Serious injury or illness must be notified if the person requires any of the types of treatment in the following table:

Types of treatment	Example
Immediate treatment as an in-patient in a hospital	Admission into a hospital as an in-patient for any duration, even if the stay is not overnight or longer. It does not include: Out-patient treatment provided by the emergency section of a hospital (i.e. not requiring admission as an in-patient) Admission for corrective surgery which does not immediately follow the injury (e.g. to fix a fractured nose).
Immediate treatment for the amputation of any part of the body	Amputation of a limb such as arm or leg, body part such as hand, foot or the tip of a finger, toe, nose or ear.
Immediate treatment for a serious head injury	Fractured skull, loss of consciousness, blood clot or bleeding in the brain, damage to the skull to the extent that it is likely to affect organ/face function. Head injuries resulting in temporary or permanent amnesia. It does not include: A bump to the head resulting in a minor contusion or headache.

Types of treatment	Example
Immediate treatment for a serious eye injury	<p>Injury that results in or is likely to result in the loss of the eye or total or partial loss of vision.</p> <p>Injury that involves an object penetrating the eye (for example metal fragment, wood chip).</p> <p>Exposure of the eye to a substance which poses a risk of serious eye damage.</p> <p><u>It does not include:</u></p> <p>Eye exposure to a substance that merely causes irritation.</p>
Immediate treatment for a serious burn	<p>A burn requiring intensive care or critical care which could require compression garment or a skin graft.</p> <p><u>It does not include:</u></p> <p>A burn that merely requires washing the wound and applying a dressing.</p>
Immediate treatment for the separation of skin from an underlying tissue (such as de-gloving or scalping)	<p>Separation of skin from an underlying tissue such that tendon, bone or muscles are exposed (de-gloving or scalping).</p> <p><u>It does not include:</u></p> <p>Minor lacerations.</p>
Immediate treatment for a spinal injury	<p>Injury to the cervical, thoracic, lumbar or sacral vertebrae including the discs and spinal cord.</p> <p><u>It does not include:</u></p> <p>Acute back strain.</p>
Immediate treatment for the loss of a bodily function	<p>Loss of consciousness, loss of movement of a limb or loss of the sense of smell, taste, sight or hearing, or loss of function of an internal organ.</p> <p><u>It does not include:</u></p> <p>Mere fainting</p> <p>A sprain or strain.</p>
Immediate treatment for serious lacerations	<p>Deep or extensive cuts that cause muscle, tendon, nerve or blood vessel damage or permanent impairment.</p> <p>Deep puncture wounds.</p> <p>Tears of wounds to the flesh or tissues—this may include stitching to prevent loss of blood and/or other treatment to prevent loss of bodily function and/or infection.</p>

Types of treatment	Example
Medical treatment within 48 hours of exposure to a substance	'Medical treatment' is treatment provided by a doctor. Exposure to a substance includes exposure to chemicals, airborne contaminants and exposure to human and/or animal blood and body substances.

Notification is also required for the following serious illnesses:

- Any infection where the work is a significant contributing factor. This includes any infection related to carrying out work:
 - (i) with micro-organisms
 - (ii) that involves providing treatment or care to a person
 - (iii) that involves contact with human blood or body substances
 - (iv) that involves handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products.
- The following occupational zoonoses contracted in the course of work involving handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products:
 - (i) Q fever
 - (ii) Anthrax
 - (iii) Leptospirosis
 - (iv) Brucellosis
 - (v) Hendra Virus
 - (vi) Avian Influenza
 - (vii) Psittacosis.

Treatment

'Immediate treatment' means the kind of urgent treatment that would be required for a serious injury or illness. It includes treatment by a registered medical practitioner, a paramedic or registered nurse.

'Medical treatment' refers to treatment by a registered medical practitioner (a doctor).

Even if immediate treatment is not readily available, for example because the incident site is rural or remote or because the relevant specialist treatment is not available, the notification must still be made.

Still unsure?

If you are still unsure about whether a particular incident should be notified then contact your regulator for advice or further guidance. Contact details are included below.

Dangerous incidents including 'near misses'

Some types of work-related dangerous incidents must be notified even if no-one is injured. The regulator must be notified of any incident in relation to a workplace that exposes any person to a serious risk resulting from an immediate or imminent exposure to:

- an uncontrolled escape, spillage or leakage of a substance
- an uncontrolled implosion, explosion or fire
- an uncontrolled escape of gas or steam
- an uncontrolled escape of a pressurised substance
- electric shock:
 - examples of electrical shock that are not notifiable
 - shock due to static electricity
 - 'extra low voltage' shock (i.e. arising from electrical equipment less than or equal to 50V AC and less than or equal to 120V DC)
 - defibrillators are used deliberately to shock a person for first aid or medical reasons

- examples of electrical shocks that are notifiable
 - o minor shock resulting from direct contact with exposed live electrical parts (other than 'extra low voltage') including shock from capacitive discharge
- the fall or release from a height of any plant, substance or thing
- the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be design or item registered under the Work Health and Safety Regulations, for example a collapsing crane
- the collapse or partial collapse of a structure
- the collapse or failure of an excavation or of any shoring supporting an excavation
- the inrush of water, mud or gas in workings, in an underground excavation or tunnel, or
- the interruption of the main system of ventilation in an underground excavation or tunnel.

A dangerous incident includes both immediate serious risks to health or safety, and also a risk from an immediate exposure to a substance which is likely to create a serious risk to health or safety in the future, for example asbestos or hazardous chemicals.

Only work-related incidents are notifiable

To be notifiable, an incident must arise out of the conduct of the business or undertaking. An incident is not notifiable just because it happens at or near a workplace.

Incidents may happen for reasons which do not have anything to do with work or the conduct of the business or undertaking, for example:

- a worker or another person suffers a heart attack while at work which is unrelated to work or the conduct of the business or undertaking
-

- an amateur athlete is injured while playing for the local soccer team and requires immediate medical treatment (this is not work)
- a person driving to work is injured in a car accident (where driving is not part of their work)
- a person with epilepsy has a seizure at work.

These kinds of incidents are **not notifiable**.

Work-related incidents that occur outside a workplace may be notifiable

Work-related incidents may affect people outside the workplace. These may still be notifiable if they involve a death, serious illness or injury or a dangerous incident.

For example:

- an object like a hand tool falls off a multi-storey building under construction hitting a person below
- scaffold collapse that causes a risk of serious injury to persons adjacent to a construction site
- an awning over a shop-front collapses, hitting a person underneath it.

Appendix A provides more information about incidents at public places or sporting events.

Who is responsible for notifying?

Any person conducting a business or undertaking (PCBU) from which the 'notifiable incident' arises must ensure the regulator is notified immediately after becoming aware it has happened.

Procedures should be put into place to ensure work health and safety incidents are promptly notified to the people responsible for responding to them, for example a manager and then notified to the regulator, if required.

Incidents involving multiple businesses or undertakings

If a 'notifiable incident' arises out of more than one business or undertaking then each must ensure that the incident has been notified to the regulator.

There is no need for all duty holders to notify—only one needs to. However, all duty holders retain their responsibility to notify, regardless of any agreement between them.

In these circumstances the duty holders must, so far as is reasonably practicable, consult, cooperate and coordinate to put appropriate reporting and notification arrangements in place.

For example contractors at a construction workplace may agree that the principal contractor for the workplace will notify all ‘notifiable incidents’ that occur at the workplace.

Incidents involving a ‘State-based contractor working for a Commonwealth entity’

Workplaces shared by a Commonwealth entity and one or more state-based contractors may be covered by both Commonwealth and state or territory work health and safety (WHS) laws.

For example an asbestos removal company is engaged by the Department of Defence (Defence) to carry out asbestos removal work at Randwick Army Barracks in Sydney and a dangerous incident occurs (as defined above). Because the incident has occurred at a place where work is carried out for Defence (on behalf of the Commonwealth) the

company must ensure that both Comcare and WorkCover NSW are notified of the incident. Defence and the company may co-operate so that only one notification is made to Comcare on behalf of both.

When and how to notify

You must notify the regulator immediately after becoming aware of a ‘notifiable incident’.

The notice must be given by the fastest possible means—which could be by telephone or in writing, for example by email or online (if available). See page 8 for contact details.

Regulators have adopted a common-sense approach to assessing whether an incident has been notified immediately. This means incidents must be notified as soon as the particular circumstances permit.

In general a PCBU ‘becomes aware’ of a notifiable incident once any of their supervisors or managers becomes aware of the incident. For example when a worker suffers a serious injury and reports it to their immediate supervisor, it is at this point that the PCBU is considered to be aware of the incident.

It is therefore essential to develop internal communication systems to ensure health or safety incidents are promptly brought to the relevant persons’ attention.

What information will be requested?

At first, the regulator will ask for a clear description of the incident with as much detail as possible. This will help the regulator assess whether or not the incident is notifiable and the need for a follow-up investigation. The following information is usually requested:

What happened: an overview	<ul style="list-style-type: none"> • Provide an overview of what happened. • Nominate the type of notifiable incident—was it death, serious injury or illness, or ‘dangerous incident’ (as defined above)?
When did it happen	Date and time.
Where did it happen	<p>Incident address.</p> <p>Details that describe the specific location of the notifiable incident—for example section of the warehouse or the particular piece of equipment that the incident involved—to assist instructions about site disturbance.</p>
What happened	Detailed description of the notifiable incident.

Who did it happen to	<ul style="list-style-type: none"> • Injured person's name, date of birth, address and contact number. • Injured person's occupation. • Relationship of the injured person to the entity notifying.
How and where are they being treated (if applicable)	<ul style="list-style-type: none"> • Description of serious injury or illness—i.e. nature of injury • Initial treatment of serious injury or illness. • Where the patient has been taken for treatment.
Who is the person conducting the business or undertaking (there may be more than one)	<ul style="list-style-type: none"> • Legal and trading name. • Business address (if different from incident address), ABN/ACN and contact details including phone number and email.
What has/is being done	Action taken or intended to be taken to prevent recurrence (if any).
Who is notifying	<ul style="list-style-type: none"> • Notifier's name, contact phone number and position at workplace. • Name, phone number and position of person to contact for further information (if different from above).

Notify immediately, and provide the information you can, even if you do not have all of the required information.

The regulator may follow-up with a request for more information later if necessary. You must provide the required information in writing within 48 hours of the request being made.

Can work continue where the incident occurred?

An incident site must not be disturbed until an inspector arrives at the site or directs otherwise (whichever is earlier). The person with management or control of the workplace is responsible for preserving the incident site, so far as is reasonably practicable.

Any evidence that may assist an inspector to determine the cause of the incident must be preserved—including any plant, substance, structure or thing associated with the incident.

However, preserving an incident site does not prevent any action needed:

- to assist an injured person
- to remove a deceased person
- to make the site safe or to minimise the risk of a further notifiable incident, or
- to facilitate a police investigation.

The sooner the regulator is notified, the sooner the site can be released.

An inspector may issue a non-disturbance notice, if they consider that the incident site should remain undisturbed in order to facilitate their investigation. This notice must specify the period for which the notice is to apply—no more than seven days.

Penalties apply if an individual or body corporate fails to preserve a site.

Site preservation requirements only apply to the incident site

Requirements to preserve a site only apply to the area where the incident occurred—not the whole workplace.

If you are unsure about what you need to do, you can ask the regulator for advice or to be excused from having to preserve the site.

Amending notifications

If you receive information that changes the incident type of a notified incident, you must notify the regulator of those changes. For example, if a notified serious injury or illness later results in the person's death, the regulator must be advised immediately upon you learning that the person has died.

Record keeping requirements

Records of notifiable incidents must be kept for at least five years from the date of notification. Penalties apply for failing to do so.

It is useful to keep a record of having made the notification (e.g. confirmation from the regulator), and also any directions or authorisations given by an inspector at the time of notification.

Contact details for regulators

To notify a 'notifiable incident' contact your local regulator:

Jurisdiction	Regulator	Telephone	Website
New South Wales	SafeWork NSW	13 10 50	safework.nsw.gov.au
Victoria	WorkSafe Victoria	1800 136 089	worksafe.vic.gov.au
Queensland	WorkSafe Queensland	1300 369 915	worksafe.qld.gov.au
South Australia	SafeWork SA	1800 777 209	safework.sa.gov.au
Western Australia	WorkSafe WA	1300 307 877	commerce.wa.gov.au/worksafe
Australian Capital Territory	WorkSafe ACT	02 6207 3000	worksafe.act.gov.au/healthsafety
Tasmania	WorkSafe Tasmania	1300 366 322 (Tas) 03 6233 7657 (External)	worksafe.tas.gov.au
Northern Territory	NT WorkSafe	1800 019 115	worksafe.nt.gov.au
Commonwealth	Comcare	1300 366 979	comcare.gov.au

Appendix A

Public places and sporting events

Workplaces may also be public or partly public places, for example:

- public parks, streets
- public transport
- shopping centres
- sports facilities
- schools and colleges
- aged care facilities, hospitals and medical centres
- cafes, restaurants, hotels and other kinds of public accommodation.

Incidents involving bystanders, visitors, students, patrons or other members of the public are only notifiable if:

- there is a death
- a 'serious injury or illness' is suffered or there is a dangerous incident ('near miss' as described above), and
- the incident arises out of the conduct of a business or undertaking.

An incident may arise out of the conduct of a business or undertaking for example because of:

- the way a work activity is organised (for example inadequate safety precautions)
- the way equipment or substances are used (for example lifts, machinery)
- the condition of a workplace (for example poorly maintained or slippery floors)
- actions of someone who is not a worker at the workplace.

If a visitor at a shopping centre is taken to hospital after sustaining a serious fracture then the incident would be notifiable. If a visitor is taken to hospital because of their pre-existing medical condition (for example heart attack, epileptic seizure at a shop) this would not be notifiable as it did not result from the conduct of the business or undertaking.

Incidents during sports activities

Work health and safety duties apply in relation to professional sports people for whom sport is work and sport organised by businesses or undertakings. They do not apply to purely social or recreational activities or activities organised by wholly volunteer associations that do not employ anyone.

For more information about the way the work health and safety laws affect volunteers and organisations with volunteers refer to the online resource kit published by Safe Work Australia.

Some sports injuries may arise from 'work' (for example a professional AFL footballer) while others may not (a local amateur club footballer).

Sports injuries are **not notifiable** if arising out of the normal conduct of a sports activity for example rough and tumble of a game.

Sports injuries **are notifiable** only if arising out of the conduct of a business or undertaking for example:

- the way a work activity involving sport is arranged
- the way the sporting activity is managed or controlled
- the condition, design or maintenance of premises or equipment, or
- the way work is carried out, for example inadequate supervision.

Examples of notifiable incidents include:

- the condition of the premises or sports equipment was a factor in the incident—for example where a participant suffers an injury requiring admission as an inpatient at a hospital due to tripping over on a potholed tarmac surface, or
- there was inadequate supervision to prevent an incident—like ensuring the safe use of equipment used by students on a school excursion or failings in the organisation and management of an event.