



NOTIFIABLE INCIDENTS



A notifiable incident typically refers to an event or occurrence that is required by law or regulation to be reported to relevant authorities or agencies. The specifics of what constitutes a notifiable incident can vary depending on the context, jurisdiction, and the nature of the incident.

The WHS laws require:

- ❖ 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.



A Notifiable Incident is:



**the death of a
person**



**a 'serious injury
or illness', or**



**a 'dangerous
incident'**

Some Notifiable Incident Examples:

- ❖ 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
- ❖ 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.

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 - used deliberately to shock a person for first aid or medical reasons

Examples of electrical shocks that are notifiable:

- ❖ Minor shock resulting from direct contact with exposed live electrical parts (other than 'extra low voltage') including shock from capacitive discharge

Not Notifiable vs Notifiable

Types of Treatment	Example
Immediate treatment as an in-patient in a hospital	<p>Admission into a hospital as an in-patient for any duration, even if the stay is not overnight or longer.</p> <p><u>It does not include:</u></p> <ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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. <p><u>It does not include:</u></p> <p>A bump to the head resulting in a minor contusion or headache.</p>
Immediate treatment for a serious eye injury	<ul style="list-style-type: none"> • Injury that results in or is likely to result in the loss of the eye or total or partial loss of vision. • Injury that involves an object penetrating the eye (for example metal fragment, wood chip). • Exposure of the eye to a substance which poses a risk of serious eye damage. <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>

What is a Serious Injury or Illness?

Types of Treatment	Example
Immediate treatment for the separation of skin from an underlying tissue (such as de-gloving or scalping)	Separation of skin from an underlying tissue such that tendon, bone or muscles are exposed (de-gloving or scalping). <u>It does not include:</u> Minor lacerations.
Immediate treatment for a spinal injury	Injury to the cervical, thoracic, lumbar or sacral vertebrae including the discs and spinal cord. <u>It does not include:</u> Acute back strain.
Immediate treatment for the loss of a bodily function	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. <u>It does not include:</u> <ul style="list-style-type: none"> • Mere fainting • A sprain or strain.
Immediate treatment for serious lacerations	<ul style="list-style-type: none"> • Deep or extensive cuts that cause muscle, tendon, nerve or blood vessel damage or permanent impairment. • Deep puncture wounds. • 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.
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.

What is a Serious Injury or Illness?



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.



Notification is also required for the following serious illnesses:

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.



Notification is also required for the following serious illnesses:

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).

WHO'S RESPONSIBLE FOR REPORTING

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.

This can mean both the Principal Contractor and a Sub-Contractor are responsible for the reporting of a Notifiable Incident.

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	1,800,777,209	safework.sa.gov.au
Western Australia	WorkSafe WA	1300 307 877	commerce.wa.gov.au/Work Safe/
Australian Capital Territory	WorkSafe ACT	02 6207 3000	worksafe.act.gov.au
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

WHS Regulators in Australia

Reporting

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).

In NSW Notifiable Incidents must be reported to SafeWork NSW



Who is SafeWork NSW?

The workplace health and safety regulator in NSW

SafeWork NSW:

- provides advice on improving work health and safety
- issues licences and registration for potentially dangerous work
- conducts investigations into workplace incidents and makes sure the work health and safety laws in NSW are followed.

To report an incident, call **13 10 50**



The regulator will ask for a clear description of the incident with as much detail as possible.

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’
When did it happen	Date and time.
Where did it happen	Incident address. 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.
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).

Wht needs to be included in a report.

Summary



Notifiable Incidents

- ❖ Are defined by three classifications:
 - ❖ the death of a person
 - ❖ a 'serious injury or illness', or
 - ❖ a 'dangerous incident'.
- ❖ Must be reported to the Regulator within 48 hours.
- ❖ Must be reported by the PCBU.

For more information, please refer to the Safe Work Australia
Factsheet



Contact SafeWork NSW

safework.nsw.gov.au

13 10 50

contact@safework.nsw.gov.au

