



INFORMATION SHEET

Workplace Services

Date: 26 September 2011

INCIDENT NOTIFICATION

The model Work Health and Safety (WHS) Act requires that a person conducting a business or undertaking (PCBU) must notify the regulator of any notifiable incidents that arise out of the conduct of the business or undertaking.

In the event of a notifiable incident it is the responsibility of the person with management or control of the workplace to ensure, so far as is reasonably practicable, that the site is not disturbed until an inspector arrives or otherwise directs.

What is a notifiable incident?

A notifiable incident is an incident involving the death of a person, serious injury or illness of a person or a dangerous incident.

To assist in determining what type of incident must be notified, 'serious injury or illness' and 'dangerous incident' are defined in the model WHS Act.

A serious injury or illness is one that requires a person to have:

- medical treatment within 48 hours of exposure to a substance
- immediate treatment as an in-patient in a hospital, or
- immediate treatment for a serious injury or illness such as a serious head injury, a serious burn or a spinal injury and a number of other injuries listed in the model WHS Act.

Importantly, it does not matter whether a person actually received the treatment referred to in this definition, just that the injury or illness could reasonably be considered to warrant such treatment.

A dangerous incident is an incident in a workplace that exposes a worker or any other person to a serious risk to their health or safety emanating from an immediate or imminent exposure to a number of risks. These risks include an uncontrolled escape, spillage or leakage of a substance, an electric shock, a fall from a height or the collapse of a structure.

Notification to be made by telephone or in writing

Immediately after the occurrence of a notifiable incident, the PCBU must notify the regulator by telephone or in writing, by fax or email, whichever is faster. The notification must provide the information required by the regulator.

If telephone notification is made, the regulator may request written notice to be provided within 48 hours.

Preserving incident sites

Persons with management or control of a workplace at which a notifiable incident has occurred must ensure, so far as reasonably practicable, that the site is not disturbed until an inspector arrives or an inspector directs that it does not need to be preserved.

This duty does not prevent the doing of things necessary to ensure health and safety of workers at the site, such as assisting an injured person or securing the site to make it safe.

For more information contact your Workplace Adviser on 1300 650 620.

**Source: Safe Work Australia*