

1 Purpose

It is a legal requirement under the *NSW Work Health and Safety Act 2011 and NSW Work Health and Safety Regulation 2011* to identify hazards, assess the risk of those hazards, implement risk controls and report all incidents internally and when applicable, report them externally to WorkCover. Effective reporting and investigation of hazards and incidents should lead to prevention of injury or illness to UNE staff, students, contractors and visitors and prevent harm to the environment.

Incident reporting is also required under other legislation including the *NSW Radiation Control Act 1990* and the *new Gene Technology Act 2000*, which commenced on 21 June 2001.

This set of guidelines is designed to identify potential hazards to health, safety and the environment and to encourage early reporting and corrective action. These guidelines are also designed to assist with analysing the causes of incidents and facilitating corrective action being taken to address the causes of the incidents.

2 Application

This document sets out the procedure for reporting all potential occupational health, safety and environment hazards observed and actual incidents occurring to staff, researchers, students, contractors and other visitors involving UNE work-sites and fieldwork. This also includes staff working interstate or overseas on UNE business.

3 Legislation

NSW Workplace Injury Management and Workers' Compensation Act 1998
(Accident Register)
NSW Work Health and Safety Act 2011
NSW Work Health and Safety Regulation 2011
NSW Radiation Control Act 1990 (radiation accident reporting)
NSW Radiation Control Regulation 1993
NSW Dangerous Goods Regulation 1995 (dangerous goods transport incident)
NSW Protection of Environment Operations Act 1998
NSW Environmentally Hazardous Chemicals Act 1985
Sporting injuries Insurance Act 1978
Workers Compensation Act 1987
Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987
Workers' Compensation (Dust Diseases) Act 1942
Commonwealth Gene Technology Act 2000 (uncontrolled release of GMO reporting)
Commonwealth Gene Technology Regulation 2001(safety breaches with GMO's)

4 Hazard Reporting

This form is to be used for reporting both occupational health and safety hazards. AS/NZS4360 *Risk Management* defines a hazard as "a source of potential harm or a situation with a potential to cause loss". Staff, students, contractors or visitors may report hazards using the *Hazard Report Form 4.05d*

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The form is divided into 4 sections to be completed by various persons as follows:

Section A is to be completed by the person who notices or observes the hazard. The hazard report form should then be passed to the person's supervisor as soon as possible after the hazard has been identified.

Section B is to be completed by the immediate supervisor and corrective action taken if possible to address the identified hazard and the action recorded. If a different Unit is responsible for the follow up action, then the supervisor should quickly pass the Hazard Report form onto the Manager of the area responsible for remedial action.

Section C is to be completed by the person responsible for corrective action and then this person will provide feedback to the person who initiated the hazard report form and record this communication on the hazard report form.

Section D is to be completed by the Manager and filed or sent to HSR representative or Risk Co coordinator if a system wide response is required to the identified hazard.

NB Alternatively hazards may be reporting using Dangerous Occurrence form 4.05c or emailed directly to Facilities management service (FMS) on ef-maint@une.edu.au

5 Work Related Incident, Accident Or Illness Report

This form *Incident Report Form 4.05a* is to be used for reporting ANY incident, injury or work-related illness to a staff member, student, contractor or visitor resulting from a UNE work-site. This form must be submitted within 24 hours of the incident. (*Note: An incident can be an event, which did not result in the person being ill or injured*). The data on this form will be used to identify trends and monitor corrective action being taken on the causes of the incident. Submission of an incident report is required before a Workers Compensation claim can be processed.

Part A is to be completed by the person sustaining the incident.

Part B is to be completed by the person's immediate supervisor, who is responsible for identifying the contributing factors to the incident, assessing the level of risk and stating the corrective action taken in relation to the causes of the reported incident.

The original of the completed report with the signature of both parties is to be forwarded to the WHS Unit. This form may also be submitted electronically.

If the incident that occurred involved radiation, then supplementary information is required to be recorded on the Radiation incident supplementary report. Furthermore, if the incident involved a genetically modified organism, then complete a GMO supplementary information report.

6 Internal Incident Investigation

Supervisors are responsible for reporting and the initial investigation of all work-related incidents that occur to staff, students or visitors in their area of responsibility. It is the responsibility of the supervisor to ensure that first aid is provided and that the staff member is offered counselling (if required). If machinery or other plant is involved the supervisor must ensure that the incident site is preserved and that no evidence is removed before the investigation commences.

If the incident results in the person having seven or more days lost time then an internal investigation should be undertaken by the supervisor and the WHS Unit.

The WHS Unit and the Quality Insurance Officer (Finance), in conjunction with any other relevant UNE staff, will become involved in the investigation of any notifiable incidents that are reportable to WorkCover. Undertaking this investigation will assist supervisors with identifying all the necessary corrective action to be implemented and with completing the external report to WorkCover.

Investigation Process

The process for incident investigation may vary depending on the location, activity and severity of injury. The prevention of similar incidents is the main purpose of any internal investigation.

It is important that only people with suitable skills and experience should carry out investigations. Supervisors, because of their familiarity with the workplace and workplace activities usually have suitable skills to carry out initial investigations. An individual or group approach may be used. If there was serious harm or the potential for it and there is a likelihood of a recurrence then a group approach may be preferable. The following 5 step process may be useful

Step 1 Gather all the facts

- Interview the injured person.
- Ask the injured person to explain what happened?
- Ask how when where why and who questions?
- Take measurements, record details time, date, type and model of equipment, obtain MSDS and/or equipment manual, take photographs etc
- Establish the events which lead up to the damaging event.
- Interview witnesses.

Step 2 Identify any possible contributing factors.

Often there may be over twenty possible contributing factors. Consider

- Work environment (physical and psychological)
- Work practices and procedures,
- Design of equipment and materials,
- Organisational and system factors
- Human factors and health issues.

Step 3 Operational issues

- Examine the work process,
- Check documentation,
- Safe work procedures,
- Training records,
- Registers and
- Instruction manuals.
- Assess the controls in place.
- Identify controls which did not work.
- If necessary contact the manufacturer or supplier to obtain information.
- Identify what is needed to prevent a recurrence.
- Identify if there is a need to train or inform staff.

Step 4 Recommendations

- Decide on a range of actions that could be undertaken to prevent a recurrence.
- Identify both short term and long term control options.
- Document information for future reference.

Step 4 Consultation

- Consult with both victim and management.
- Discuss who should do what and by when?
- Seek input from WHS representatives.

Step 4 Action Plan

Inform everyone who needs to know not only those directly involved. This may involve circulating your report or summary of findings. Ensure that all involved know they are accountable for their actions or lack of action. Seek input from the injured person

Step 5 Follow up.

Identify if recommended changes have been made and results achieved.

WorkCover Accident Reporting Requirements

All notifiable incidents (death, serious incident or illness, dangerous event defines at the place of work need to be notified to WorkCover (s35/s38 NSW Health Safety and Work Act 2011)

Serious injury or illness (s36) include

- one or more fatalities
- immediate treatment as an in-patient at a hospital
- immediate treatment for

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- an amputation of any part of his or her body
- a serious head injury
- a serious eye injury
- serious burn
- the separation of his or her skin from an underlying tissue (such as de-gloving or scalping)
- a spinal injury
- the loss of bodily function serious lacerations
- or medical treatment within 48 hours of exposure to a substance an injury to a person that results in the amputation of a limb,

Dangerous occurrences (s37) include

- an uncontrolled escape, spillage or leakage of a substance or
- uncontrolled implosion, explosion or fire
- an uncontrolled escape of gas or steam
- electric shock
- the fall or release from a height of any plant substance or thing
- the collapse or overturning, failure or malfunction of, or damage to, any plant that is required to be authorised in accordance with the regulations
- the collapse or partial collapse of a structure
- the collapse or failure of an excavation or any shoring support of an excavation the inrush of water, mud or gas in workings, in an underground excavation or tunnel
- the interruption of the main system of ventilation in an underground excavation or tunnel the placing of a person on a life support system,

Notice must be given of all notifiable events to WorkCover immediately the occupier becomes aware of the occurrence and by the quickest means available e.g. phone or facsimile. Notification to WorkCover of any notifiable incident should be made by the WHS Unit, if the occurrence occurs during business hours, and by the Security Manager, if it occurs outside normal business hours.

WorkCover will advise UNE when a work clearance can be given for use of a non-disturbance area, after they have inspected the incident scene and carried out their investigation.

The WHS Unit will ensure that the chairperson of the UNE WHS Strategic Committee and the relevant WHS Workgroup is also notified of all WorkCover reported incidents. It is one of the committee's functions to be involved in the incident investigation.

There are penalties for both UNE and its supervisors for non-compliance with this regulatory requirement and for late notification of reportable occurrences.

7 Workcover Investigation of reported occurrences



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A WorkCover Inspector may choose to investigate a non- disturbance incident or other occurrence that has been reported either verbally or in writing to WorkCover.

The inspectors usually initially contact the immediate supervisor of the injured person first and then contact the WHS personnel and advise that they will be coming on site to do an investigation.

If they receive a serious anonymous complaint from a staff member or student, WorkCover has the right to come to the workplace without notice.

If there has been an accident resulting in serious bodily injury or a fatality, then the Regulation requires that the accident scene is cordoned off for four metres around the accident and is not disturbed until a WorkCover Inspector has completed their investigation. This may include interviewing the injured person, witnesses, taking photos etc. If such an accident occurs, the Head of Cost Centre should seek legal advice from the Legal Office prior to being interviewed by a WorkCover Inspector.

8 Environment Protection Authority (EPA) Investigation of Reportable Incidents

The University has to report any incident involving potential risk of or actual contamination of air, water or soil or noise levels to local community that are above regulatory standards resulting from any activity undertaken at the University. In addition, if there is a radiation incident as defined in the Radiation Control Regulation 1993, this also has to be reported to the EPA by UNE Radiation Safety Officer on behalf of the UNE Radiation Safety Committee.

9 Gene Technology Regulator Investigation of Reportable Incidents

If any incident occurs involving a failure to contain a genetically manipulated animal, or an uncontrolled release of a genetically manipulated organism (GMO) into the environment, which could pose a risk to public or environmental health, then this incident has to be reported to the *Office of the Gene Technology Regulator (OGTR)*. This reporting would be done by the Chairperson of the UNE Bio-Safety Committee.

10 Assistance regarding hazard and incident reporting and investigation procedures

There is a separate flow chart (**4.05Z**) for this procedure that summarises when you need to use each form that forms part of this procedure. If there are any aspects of these procedures that are not clear, when you have the need to use these procedures, please contact the WHS Unit on extension 3232 and we will endeavour to assist you and will revise the procedures if needed.

7. Related policies and procedures

UNE recognises that WHS policies, procedures and guidelines placed into the public domain of the University's web site may be of assistance to other organisations and universities as reference material or models. The University requests that when UNE material is used in development of documents, that the work done by the University is acknowledged by referencing the source of ideas or written expression.

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Updated 7/1/2013

