

## **Notifiable Incidents Policy**

### **Purpose:**

This policy establishes responsibilities for reporting notifiable incidents.

### **Principles:**

By complying with this policy JCUSA aims to:

- Define what is a notifiable incident;
- Identify who is responsible for notifying and to whom;
- Articulate when an injury or illness is serious;
- Outline what is a dangerous incident;
- Explain what a serious electrical incident involving electrical equipment is;
- State what a dangerous electrical event involves;
- State what information is to be provided to WHS and JCU HSE;
- Clarify the duty to notify of notifiable incidents;
- Provide details on how to notify of an incident;
- Explain the importance of incident scene preservation;
- Explain the availability of grief and trauma counselling;
- Explain how to make a WorkCover Queensland Claim;
- Identify the use of the software application Riskware;
- Document legislative Requirements;
- List the training Requirements;
- Link in to the vehicle incident; and
- Express record keeping requirements.

### **Scope:**

This policy applies to all JCUSA Councillors and all workers (including volunteers) and club/society members who are involved with a notifiable incident.

### **Policy Statement:**

JCUSA is committed to ensuring that all notifiable incidents are reported in accordance with the Work Health and Safety Act 2011 and the Safety in Recreational Water Activities Act 2011. Additionally, the University must notify Workplace Health Safety Queensland (WHSQ) of any death, serious injury or illness, or dangerous incident and is committed to the following:

- providing information to workers and club/society members on managing a notifiable incident;
- keeping records of each notifiable incident;
- managing and keeping a record of all work and club/society based incidents which arise from its activities and to eliminate or otherwise control hazards and risk within the workplace;
- utilisation of the RiskWare system to record all workplace injuries;
- making a WorkCover claim (note that volunteers are not considered 'workers' for workers' compensation purposes);

- preserving incident scenes;
- cooperating with WHSQ inspectors; and
- keeping a register of injuries / hazards to record workplace injuries or illnesses sustained by workers regardless of whether there has been a claim.

## **Responsibilities:**

The responsibility for managing health and safety ultimately rests with the person in control of the business or undertaking (PCBU), directors and management, which is the JCUSA Council.

JCUSA Council has ultimate responsibility for all workers to comply with approved policies, procedures and safe work procedures that:

- support and align with current legislation, regulations and codes of practice;
- are implemented and monitored; and
- are reviewed to evaluate the continuing effectiveness and currency.

Officers, such as company directors, have a duty to exercise due diligence to ensure that the business or undertaking complies with the WHS Act and WHS Regulations. This includes taking reasonable steps to ensure that the business or undertaking has and uses appropriate resources and processes to eliminate or minimise risks to health and safety.

Officers have a duty under the WHS Act to exercise due diligence to ensure the PCBU fulfils its health and safety obligations under the Act.

In exercising due diligence, Officers must take reasonable steps to:

- ensure appropriate resources and processes are provided to enable hazards to be identified and risks to be eliminated or minimised; and
- confirm information regarding incidents, hazards and risks is received; and
- the information is responded to in a timely way; and
- allow staff time to attend to or participate in the incident investigation process.

Councillors, workers and club/society members:

- have a duty to take reasonable care for their own health and safety and must not adversely affect the health and safety of other persons;
- must comply with any reasonable instruction;
- cooperate with any reasonable policy or procedure relating to health and safety at the workplace/location, such as procedures for first aid and for reporting injuries and illnesses;
- have a responsibility to report any and all incident and hazards and or system failures which have occurred or likely to occur in the event of an injury or unsafe situation;
- are to report and record 'near misses' as a near miss should be considered as a warning sign and may indicate a potential problem that could result in serious injury or illness if allowed to recur.

Managers and Responsible Persons have a responsibility to investigate incidents and hazards, and take corrective action to reduce the level of risk and prevent the recurrence of similar incidents.

Workers and club/society members have a duty to take reasonable care for their own health and safety and must not adversely affect the health and safety of other persons.

Workers and club/society members must comply with any reasonable instruction and cooperate with any reasonable policy or procedure relating to health and safety at the workplace, such as procedures for reporting injuries and illnesses.

### Definitions:

Association	James Cook University Student Association
Club	A Club is a group of like-minded individuals, the majority of whom are currently enrolled JCU, who gather to hold events and engage in activities for the mutual benefit of members and the wider JCU student cohort.
Dangerous electrical event	<ul style="list-style-type: none"> <li>the coming into existence of circumstances in which a person was not electrically safe, if the circumstances involve high voltage electrical equipment; and despite the coming into existence of the circumstances, the person does not receive a shock or injury (high voltage means a voltage above 1000 V AC or 1500 V ripple-free DC);</li> <li>the coming into existence of both of the following circumstances (1) if a person had been at a particular place at a particular time, the person would not have been electrically safe and (2) the person would not have been electrically safe because of circumstances involving high voltage electrical equipment (high voltage means a voltage above 1000 V AC or 1500 V ripple-free DC);</li> <li>electrical equipment and in which significant property damage was caused directly by electricity or originating from electricity;</li> <li>the performance of electrical work by a person not authorised under an electrical work licence to perform the work;</li> <li>the performance of electrical work by a person if, as a result of the performance of the work, a person or property was not electrically safe; and/or</li> <li>the discovery by a licensed electrical worker of electrical equipment that has not been marked as required under the Electrical Safety Act 2002.</li> </ul>
Dangerous Incident	<p>An incident in relation to a workplace that exposes a worker or any other person to a serious risk to a person's health or safety emanating from an immediate or imminent exposure to:</p> <ul style="list-style-type: none"> <li>an uncontrolled escape, spillage or leakage of a substance</li> <li>an uncontrolled implosion, explosion or fire</li> <li>an uncontrolled escape of gas or steam</li> <li>an uncontrolled escape of a pressurised substance</li> <li>electric shock</li> </ul>

	<ul style="list-style-type: none"> <li>the fall or release from a height of any plant, substance or thing</li> <li>the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with the regulations</li> <li>the collapse or partial collapse of a structure</li> <li>the collapse or failure of an excavation or of any shoring supporting an excavation</li> <li>the inrush of water, mud or gas in workings, in an underground excavation or tunnel</li> <li>the interruption of the main system of ventilation in an underground excavation or tunnel</li> <li>any other event prescribed under a regulation; but does not include an incident of a prescribed kind.</li> </ul>
Hazard	A situation or thing that has the potential to harm a person. Hazards at work may include noisy machinery, a moving forklift, chemicals, electricity, working at heights, a repetitive job, bullying and violence at the workplace.
Illness	Any physical or mental ailment, disorder, defect or morbid condition which can be of sudden or gradual development. This also includes the aggravation, acceleration, exacerbation or recurrence of any pre-existing disease.
Incident	A finite and often isolated event which may cause injury, illness, property or environmental damage or some combination of all four in varying degrees from insignificant to catastrophic consequences, but is managed during the normal course of operations and within normal reporting lines, processes and procedures.
Near miss	Any unplanned incident that occurred at the workplace which, although not resulting in an injury or disease, had the potential to do so.
Notifiable Incident	An incident that arises out of the conduct of a business or undertaking; that results in the death, serious injury or serious illness of a person, or involves a dangerous incident and therefore needs to be reported to Workplace Health and Safety Queensland (WHSQ).
Others	Bystanders, contractors, students and visitors.
Riskware	James Cook University's cloud based online electronic incident, injury, hazard and near miss reporting system. This system has been developed specifically for the University's use, and provides a standardised electronic reporting tool that can be accessed via the HSE Unit website.
Serious electrical incident	<ul style="list-style-type: none"> <li>a person was killed by electricity;</li> <li>a person received a shock or injury from electricity, and was treated for the shock or injury by or under the supervision of a doctor; and/or</li> <li>a person received a shock or injury from electricity at high voltage, whether or not the person was treated for the</li> </ul>

	shock or injury by or under the supervision of a doctor (high voltage means a voltage above 1000 V AC or 1500 V ripple-free DC).
Serious injury or illness of a person	<ul style="list-style-type: none"> <li>an injury or illness requiring the person to have           <ul style="list-style-type: none"> <li>immediate treatment as an in-patient in a hospital</li> <li>immediate treatment for               <ul style="list-style-type: none"> <li>the amputation of any part of his or her body</li> <li>a serious head injury</li> <li>a serious eye injury</li> <li>a serious burn</li> <li>the separation of his or her skin from an underlying tissue (such as degloving or scalping)</li> <li>a spinal injury</li> <li>the loss of a bodily function</li> <li>serious lacerations</li> </ul> </li> <li>medical treatment (treatment by a doctor) within 48 hours of exposure to a substance</li> </ul> </li> <li>any infection to which the carrying out of work is a significant contributing factor, including any infection that is reliably attributable to carrying out work           <ul style="list-style-type: none"> <li>with micro-organisms</li> <li>that involves providing treatment or care to a person</li> <li>that involves contact with human blood or body substances</li> <li>that involves handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products</li> </ul> </li> </ul>
Society	Refer to Club
WorkCover/ WorkCover Queensland	WorkCover Queensland is a government owned statutory body, providing workers' compensation insurance in Queensland since 1997. As a self-funded statutory body, we strive to maintain the lowest possible average premium rate by continuously investing in efficient online customer services and experienced in-house claims management capability to support employers and make a positive difference to the lives of injured workers.
Work Related Incident	<p>A work-related incident is finite and often isolated event which may cause injury, illness, property or environmental damage or some combination of all four in varying degrees from insignificant to catastrophic consequences but is managed during the normal course of operations and within normal reporting lines, processes and procedures.</p> <p>A work-related incident can be:</p> <ul style="list-style-type: none"> <li>a work-related incident resulting in injury or illness</li> <li>equipment failure, or 'a near miss' when there is potential for an injury or damage to property; the incident report serves as a record for future reference should there be any subsequent complication, e.g. delayed health effects, which may require the report as a factual base</li> </ul>

Workers	Any person who carries out work for a person conducting a business or undertaking, including work as an employee, contractor or subcontractor (or their employee), self-employed person, outworker, apprentice or trainee, work experience student, employee of a labour hire company placed with a 'host employer' or a volunteer.
Workplace	Any place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work. This may include offices, factories, shops, construction sites, vehicles, ships, aircraft or other mobile structures on land or water.
Workplace Health and Safety Queensland (WHSQ)	The regulatory body responsible for overseeing the enforcement of the Work Health and Safety Act 2011. WHSQ is the workplace health and safety regulator in Queensland. It uses notified incident information to investigate workplace incidents and contraventions of the Work Health and Safety Act 2011. This information is also used to develop programs that identify solutions to workplace safety issues across all industries.

## Acronyms

JCUSA	James Cook University Student Association
JCU	James Cook University
HSE	Health Safety Environment
OIR	Office of Industrial Relations
PCBU	Person Conducting Business or Undertaking
WHSQ	Work Health Safety Queensland

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## Policy:

An incident is notifiable if it arises out of the conduct of a business or undertaking and results in the death, serious injury or serious illness of a person or involves a dangerous incident.

In the Work Health and Safety Act, notifiable incident mean:

- (a) The death of a person; or
- (b) A serious injury or illness of a person; or
- (c) A dangerous incident.

## 1 When an injury or illness is serious

The Work Health and Safety Act 2011 sets out that a serious injury or illness of a person is:

- 1) an injury or illness requiring the person to have
  - a) immediate treatment as an in-patient in a hospital
  - b) immediate treatment for
    - » the amputation of any part of his or her body
    - » a serious head injury
    - » a serious eye injury
    - » a serious burn
    - » the separation of his or her skin from an underlying tissue (such as degloving or scalping)
    - » a spinal injury
    - » the loss of a bodily function
    - » serious lacerations
  - c) medical treatment (treatment by a doctor) within 48 hours of exposure to a substance
- 2) any infection to which the carrying out of work is a significant contributing factor, including any infection that is reliably attributable to carrying out work
  - a) with micro-organisms
  - b) that involves providing treatment or care to a person
  - c) that involves contact with human blood or body substances
  - d) that involves handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products

## What is a dangerous incident?

A dangerous incident is an incident in relation to a workplace that exposes a worker or any other person to a serious risk to a person's health or safety emanating 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;
- 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 authorised for use in accordance with the regulations;



- 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;
- the interruption of the main system of ventilation in an underground excavation or tunnel; and
- any other event prescribed under a regulation; but does not include an incident of a prescribed kind.

A **serious electrical incident** involving electrical equipment where:

- a person was killed by electricity;
- a person received a shock or injury from electricity, and was treated for the shock or injury by or under the supervision of a doctor; and/or
- a person received a shock or injury from electricity at high voltage, whether or not the person was treated for the shock or injury by or under the supervision of a doctor (high voltage means a voltage above 1000 V AC or 1500 V ripple-free DC).

A **dangerous electrical event** involving:

- the coming into existence of circumstances in which a person was not electrically safe, if the circumstances involve high voltage electrical equipment; and despite the coming into existence of the circumstances, the person does not receive a shock or injury (high voltage means a voltage above 1000 V AC or 1500 V ripple-free DC);
- the coming into existence of both of the following circumstances (1) if a person had been at a particular place at a particular time, the person would not have been electrically safe and (2) the person would not have been electrically safe because of circumstances involving high voltage electrical equipment (high voltage means a voltage above 1000 V AC or 1500 V ripple-free DC);
- electrical equipment and in which significant property damage was caused directly by electricity or originating from electricity;
- the performance of electrical work by a person not authorised under an electrical work licence to perform the work;
- the performance of electrical work by a person if, as a result of the performance of the work, a person or property was not electrically safe; and/or
- the discovery by a licensed electrical worker of electrical equipment that has not been marked as required under the Electrical Safety Act 2002.

## 2 Who is responsible for notifying?

Councillors, employees and clubs/societies members/executives are to notify the JCUSA General Manager or the Sport and Recreation Manager in the General Managers absence.as soon as reasonable possibly after a notifiable incident has occurred.

JCUSA, as a person conducting a business or undertaking is required to notify WHSQ immediately after becoming aware that a notifiable incident arising from the business or undertaking has occurred. This should be the General Manager or Sport and Recreation Manager in the General Managers absence.

## Duty to notify of notifiable incidents

(1) A person who conducts a business or undertaking must ensure that the regulator is notified immediately after becoming aware that a notifiable incident arising out of the conduct of the business or undertaking has occurred.

The notice must be given:

- a) by telephone; or
- b) in writing.

The written notice can be given by facsimile, email or other electronic means.

A person giving notice by telephone must:

- a) give the details of the incident requested by the regulator; and
- b) if required by the regulator, give a written notice of the incident within 48 hours of that requirement being made.

A written notice must be in a form, or contain the details, approved by the regulator.

If the regulator receives a notice by telephone and a written notice is not required, the regulator must give the person conducting the business or undertaking

- a) details of the information received; or
- b) an acknowledgement of receiving the notice.

## How to notify of an incident

1. In the first instance call 000, and then follow internal emergency notification procedures;
2. Contact Workplace Health and Safety Queensland on 1300 362 128;
  - phone on [1300 362 128](tel:1300362128);
  - complete and submit the [online incident notification form](#) ; and/or
  - email the completed [Incident Notification form](#) to [whsq.aaa@oir.qld.gov.au](mailto:whsq.aaa@oir.qld.gov.au).
3. Telephone JCUSA General Manager and JCU HSE Manager on 07 4781 5290;
4. For emergencies on the Townsville campus dial 4781 5555 or 1800 675 559 and from an internal phone dial 15555. For the Smithfield Campus dial 4232 1293 or mobile phone dial 0419 677 874 and from an internal phone 21293
5. Complete Form 040 Accident Incident and Injury Report Form and provide to the General Manager as soon as possible; and
6. Add entry to Risk Ware.
7. **Information to be provided to JCUSA, WHSQ and JCU HSE:**
  - What type of event it is (serious injury, death, serious illness etc.);
  - Date, time and address of incident;
  - Description of incident;
  - Description of injury/illness;
  - Location of injury; and
  - Where the injured person has been taken for treatment.

### 3 Incident scene preservation

The person with management or control of a workplace at which a notifiable incident has occurred must ensure so far as is reasonably practicable, that the site where the incident occurred is not disturbed until an inspector arrives at the site or any earlier time that an inspector directs.

A site includes any plant, substance, structure or thing associated with the notifiable incident.

A prescribed reason to disturb an incident site is action:

- a) To assist an injured person; or
- b) To remove a deceased person; or
- c) That is essential to make the site safe or to minimise the risk of a further notifiable incident; or
- d) That is associated with a police investigation; or
- e) For which an inspector or the regulator has given permission.

### 4 Grief and trauma counselling

The Office of Industrial Relations (OIR) provides a grief and trauma counselling service that is accessible to individuals, families and witnesses affected by a workplace death or serious injury.

If you JCUSA persons need to talk with someone immediately, please call Lifeline on 13 11 14.

If they are in immediate danger or need emergency assistance call 000.

The OIR offer 10 free grief and trauma counselling sessions to anyone who has been affected by a work-related death or serious health and safety incident.

To arrange counselling, call 1300 632 958 or email [counselling.support@oir.qld.gov.au](mailto:counselling.support@oir.qld.gov.au).

### 5 How to make a WorkCover Queensland Claim

- Phone: **1300 362 128**
- Online: Complete and submit an [online incident notification form](#)
- Email: Download and complete an [incident notification form](#) and email it to **whsq.aaa@oir.qld.gov.au**

Note that an injuries claim to WorkCover Queensland (WorkCover) is not the same as notifying WHSQ of an incident, however as JCUSA insure with WorkCover, JCUSA can do both at the same time.

WorkCover and other workers' compensation insurers have a different role to play from WHSQ following a workplace incident. WHSQ investigates the cause of the incident and how similar incidents can be prevented in the future. WorkCover and other workers' compensation insurers provide financial compensation to people injured in the course of their employment.

WHSQ is the workplace health and safety regulator in Queensland. It uses notified incident information to investigate workplace incidents and contraventions of the Work Health and

Safety Act 2011. This information is also used to develop programs that identify solutions to workplace safety issues across all industries.

Notification to WHSQ is in addition to any workers' compensation claim made to WorkCover or self-insured businesses.

## **6 Riskware**

When the General Manager reports an incident or hazard in RiskWare, the General Manager will become the Responsible Person unless, otherwise manually changed under "Assign to" section or the incident is ticked "Do you require that this incident remains confidential from your supervisor/manager?", if the latter is ticked then incident is referred only to a HSE representative.

### **Incident / Hazard Notification**

When the General Manager reports an incident or hazard in RiskWare, the relevant Responsible Persons will automatically receive an email notification. This email provides summary details of the incident or hazard, and instructions on what needs to be done. Managers and Responsible Persons are required to view the details of the incident or hazard in RiskWare and develop and complete an action plan.

### **Responsiveness and Response Times**

A RiskWare action plan must be submitted within 10 working days of the incident/hazard being reported.

Action plans are to be completed within 21 working days from the date of the incident being logged. HSE must report all incident action plans in excess of the 21 day time frame.

RiskWare hazard action plans are required to be completed within a reasonable time frame that is suited to the hazard being rectified. The person responsible for the hazard should contact the person who is capable of completing the action to negotiate a time frame.

### **Corrective/ Preventative Action Plans**

Corrective and Preventative action plans are used to plan and record the actions that have or will be taken in response to an incident or a reported hazard.

### **Legislative Requirements**

To achieve compliance with legislative requirements and to proactively review our incidents and hazard data to reduce the instances of harm, JCUSA is committed to:

- prompt reporting of all incidents involving workers, students, contractors, volunteers and visitors, and investigate if required;
- recording and reporting of incidents in accordance with the Work Health and Safety Act 2011 and associated Regulation; and
- prompt action by managers to initiate action to correct and where possible, prevent recurrence.

## **Incident Investigations**

The incident investigation function in RiskWare is mandatory for all incidents with an inherent risk rating above low in the Action Plan.

## **Training Requirements**

The JCU HSE Unit provides interactive training to supervisors and managers who are responsible for managing reported incidents and hazards and creating action plans to address health and safety issues. Online training and information videos are located on the safety webpage including a suite of RiskWare training videos for workers.

## **University Vehicle Incident**

If the incident involves damage to a JCU University Fleet Vehicle, a JCU Vehicle Accident Form must be completed. This form can be obtained from the Fleet Vehicles web site.

## **7 Record keeping**

JCUSA has a legal obligation under the Work Health and Safety Act 2011 (Qld) (the WHS Act) to manage and keep a record of all work related:

- 1) incidents;
- 2) hazards;
- 3) illnesses; and
- 4) near misses.

which arise from its activities and to eliminate or otherwise control hazards and risk within the workplace.

A person conducting a business or undertaking must keep a record of each notifiable incident for at least 5 years from the day that notice of the incident is given to the regulator.

Completed Form 040 Accident Incident and Injury Report Forms are scanned and electronically stored in S:\Common\WHS\Incidents

## **8 Related Legislation and Documents:**

Safety in Recreational Water Activities Act 2011 (QLD)

Work Health and Safety Act 2011 (QLD)

Work Health and Safety Regulation 2011 (QLD)

Workplace Health and Safety Queensland, First Aid in the Workplace Code of Practice 2021

Workplace Health and Safety Queensland, Hazardous Manual Tasks Code of Practice 2021

Workplace Health and Safety Queensland, How to Manage Work Health and Safety Risks Code of Practice 2021

Workplace Health and Safety Queensland, Managing Noise and Preventing Hearing Loss as Work Code of Practice 2021

Workplace Health and Safety Queensland, Managing Risks of Hazardous Chemicals in the Workplace Code of Practice 2021

Workplace Health and Safety Queensland, Managing the Risks of Plant in the Workplace Code of Practice 2021

Workplace Health and Safety Queensland, Managing the Work Environment and Facilities  
Code of Practice 2021

Workplace Health and Safety Queensland, Workplace Health and Safety Consultation,  
Cooperation and Coordination Code of Practice 2021

Workplace Health and Safety Queensland, Electrical Safety Code of Practice 2021 –  
Managing electrical Risks in the Workplace

POL003 WHS Policy

POL029 Return to Work and Workers Compensation Policy

POL022 Incident Reporting Policy

POL034 Training and Supervision Policy

POL036 Privacy Policy

POL038 Driving and Vehicles Policy

PRO013 Incident and Notifiable Incident Reporting Procedure

Form 040 Accident Incident and Injury Report Form.

JCU Vehicle Accident Form

## 9 Administration

Note: Printed copies of this policy are uncontrolled and currency can only be assumed at the time of printing.

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