

TITLE: NOTIFICATION OF OHS INCIDENTS AND INJURIES	
Guideline Number: LS1475	Issue Date: 3 / October / 2007
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PURPOSE:

To provide guidelines on the notification of incidents and injuries to Commonwealth, state or territory authorities.

SCOPE:

This Guideline applies to the following:

- All government authorities and agencies and those organisations responsible for the management and operation of coastal environments; and
- Those organisations experienced in public safety and responsible for the provision of public safety services.

For example:

- Coastal/marine park authorities and managers
- Lifesaving service providers
- Lifeguards and lifeguard supervisors

This Guideline applies to coastal environments, including ocean coastline and saltwater waterways that open to the oceans surrounding Australia.

GUIDELINE DESCRIPTION:

1.0 Duties of employers to notify

- 1.1 Employers have a general duty of care to their employees to take all reasonably practical steps to protect the health and safety of employees at work.
- 1.2 Similar duties apply to contractors.
- 1.3 Employees are taken to be at work when performing work in connection with the employer's undertaking, whether or not the work is carried out at a workplace. For example, a lifeguard may have an office but the workplace also includes a vehicle, powercraft, the beach and in the water.
- 1.4 There is often further duty to protect third parties at or near a workplace that is under the employer's control. In this context, third parties are not the employer's employees or contractors.

2.0 Notification of incident and injury

- 2.1 Employers have an obligation to notify certain incidents to the state/territory WorkCover agency, and to keep internal records of such incidents.
- 2.2 Notifiable incidents do not necessarily need to occur at a workplace as defined in some Acts. For example, a lifeguard may have an office but the workplace also includes a vehicle, powercraft, the beach and in the water.
- 2.3 Timely notification of incidents allows the WorkCover agency to:
 - identify the causes of incidents;

- target appropriate prevention strategies; and
- commence investigative action where necessary.

2.4 Notification of an incident is not equivalent to making a claim for workers compensation. Although some incident types may result in a workers compensation claim, *dangerous occurrences* where no one was injured generally will not.

2.5 For example, Commonwealth agencies have an obligation to notify certain incidents to Comcare and to keep internal records of such incidents. See Table LS1475.1 for an example of the Comcare notification requirements.

Table LS1475.1. Notification process
(EXAMPLE ONLY – CHECK STATE/TERRITORY REQUIREMENTS)

INCIDENT	REPORTING TIME	REPORT BY EMPLOYER
arising as a result of the conduct of the employer's undertaking or out of work performed by an employee in connection with the undertaking		
Death of any person	within 2 hrs by phone	Phone Comcare Further details may be faxed.
Section 68(1)(a)	Regulations 37A, 37C	
Serious personal injury any person	within 24 hrs	Fax your local Comcare OHS office or do online notification to https://cis.comcare.gov.au/forms/notify.html
Section 68(1)(a); Regulation 2	Regulation 37A	
Employee incapacity of 30 or more successive working days or shifts	within 24 hrs of becoming aware of the duration of incapacity	Fax Comcare or do online notification
Section 68(1)(b); Regulation 36A	Regulations 36A, 37A	
Dangerous occurrence which could have caused any of the above	within 24 hrs	Fax Comcare or do online notification
Section 5(1), Section 68(1)(c) Regulation 3	Regulation 37A	
Exemption Section 14	An employer is not required to notify incidents that occur at a workplace if that workplace is controlled by a contractor for the purposes of construction or maintenance. If an employer is unsure about whether a workplace is controlled by a contractor for the purposes of construction or maintenance, then the best option is to report the incident to Comcare.	

Note: The above table is an example only. If an incident occurs that requires the relevant WorkCover/Comcare organisation to be notified, contact your relevant state/territory centre immediately.

DEFINITIONS:

Lifeguard means 'an appropriately trained and qualified individual who volunteers or is employed at bathing beaches, pools, etc. to prevent drowning, provide injury prevention and response services, and to save people from drowning'.

Lifesaving service means 'an organised and structured service comprised of lifeguards and appropriate rescue and first aid equipment supported by a coordinated backup team'.

Occupational health and safety (OHS) means 'the health and safety considerations of or relating to the activity or business for which one is trained'.

REFERENCES:

Australian Coastal Public Safety Guidelines

- LS1460: Occupational health and safety policy
- LS1461: Lifeguard occupational health and safety
- LS1462: Zero tolerance on alcohol and drugs
- LS1463: Sun safe practices
- LS1464: Selection and use of personal protective equipment (PPE)
- LS1465: Hazards and banning of smoking
- LS1466: Manual handling safety
- LS1467: Managing workplace stress
- LS1468: Rehabilitation from illness or injury

Guidelines for safe recreational water environments. Volume 1 – Coastal and fresh waters. World Health Organization, Geneva, 2003.

Guide to Incident Notification and Reporting, Comcare, Australian Government, October 2001.

Lifeguard Service Operating Procedures Version 1, Surf Life Saving Queensland, February 2005.

Surf Life Saving Australia, 2003. Surf lifesaving training manual, 32nd edition. Elsevier Australia Pty Ltd.

APPENDICES:

Nil