

# FACT SHEET

## INCIDENT NOTIFICATION

Under the new work health and safety (WHS) laws, effective from 1 January 2012, the procedures involved in notifying workplace incidents remain largely unchanged. Incidents such as fatalities, serious injuries and illness, and dangerous incidents must still be notified to WorkCover immediately and incident records must still be kept for five years.

### Who should read this?

This fact sheet should be read by 'persons conducting a business or undertaking' (PCBUs), and persons with management or control of a workplace.

### Your obligations

As a PCBU, you must notify WorkCover of fatalities, serious injuries and illnesses, and dangerous incidents that arise out of the conduct of the business or undertaking, as soon as you become aware of the incident.

The notification to WorkCover must be by the fastest available means and can be made by phone or in writing (such as by fax, email or other electronic means). If the notification was by phone this must be followed up in writing within 48 hours if WorkCover requests it.

The person with management or control of a workplace must preserve the incident site until an inspector attends the site, or directs otherwise. You may disturb the site to move a deceased person, assist an injured person, make the site safe, or assist with a police investigation.

If someone suffers an injury or illness where workers' compensation is, or may be, payable you must contact your insurer within 48 hours.

### What is a serious injury or illness?

A serious injury or illness includes:

- an injury or illness that requires immediate treatment as an 'in-patient in hospital' (An 'in-patient in hospital' is a person who has been admitted to hospital and requires at least one overnight stay.)
- amputation
- serious head, eye or burn injury
- degloving or scalping
- spinal injury
- loss of bodily function
- serious laceration
- exposure to a substance, which requires medical treatment within 48 hours.

## What is a dangerous incident?

A dangerous incident exposes someone to a serious risk to their health or safety, such as:

- the uncontrolled escape, spillage or leakage of a substance
- uncontrolled implosion, explosion or fire
- uncontrolled escape of gas, steam or pressurised substance
- electric shock
- falls from height of any plant, substance or the like
- incident involving or damage to any plant (that requires authorisation in accordance with the WHS regulations)
- the collapse of a structure, or excavation including shoring
- an inrush of water, mud or gas
- the interruption of underground ventilation.

## Further information

For more information about PCBUs, visit [workcover.nsw.gov.au](http://workcover.nsw.gov.au) and go to 'New legislation 2012'.

To read the model *Work Health and Safety (WHS) Act*, draft model WHS Regulations and priority codes of practice, visit [safeworkaustralia.gov.au](http://safeworkaustralia.gov.au)

## Disclaimer

This publication may contain occupational health and safety and workers compensation information. It may include some of your obligations under the various legislations that WorkCover NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate legislation.

Information on the latest laws can be checked by visiting the NSW legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)).

This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

Catalogue No. **WC03060** WorkCover Publications Hotline **1300 799 003**



**WorkCover NSW** 92-100 Donnison Street Gosford NSW 2250  
Locked Bag 2906 Lisarow NSW 2252 WorkCover Assistance Service **13 10 50**  
Website [workcover.nsw.gov.au](http://workcover.nsw.gov.au)

ISBN 978 1 74218 802 7 © Copyright WorkCover NSW 0311

Training Conducted By Easy HR  
Phone: 1300 667 331  
Page 2 of 2