



INTERPRETIVE GUIDELINE

# Incident notification

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#### WorkSafe Commissioner

303 Sevenoaks Street CANNINGTON WA 6107

Telephone: 1300 307 877

NRS: 13 36 77

Email: [commissioner@worksafe.wa.gov.au](mailto:commissioner@worksafe.wa.gov.au)

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# Introduction

## Using this Interpretive guideline

The regulator publishes Interpretive guidelines to provide guidance on how key concepts in the Work Health and Safety Act and regulations will operate. This guideline provides an overview on mandatory reporting requirements for incidents that must be notified to the regulator under Work Health and Safety (WHS) legislation.

Businesses and undertakings must notify the regulator of certain incidents that arise out of the conduct of a business or undertaking at a workplace. This information will help you decide when and how to notify a work-related death, injury, illness or dangerous incident (further notification requirements apply to mines and petroleum and geothermal operations – see Parts 2 and 3 of the guideline).

Notifying the regulator can help identify causes of incidents and prevent work-related deaths, injuries, illnesses, damage and loss at other workplaces.

## How to notify the regulator of a workplace related incident



To report a **death, serious injury or illness, or life-threatening dangerous incident**, preserve the site and immediately call **1800 678 198**



For a **non life-threatening dangerous incident**, preserve the site and immediately notify WorkSafe **online**

You may be asked to lodge further information. All mine and petroleum incidents must also be notified online.

### For all other notifiable incidents

[Report an incident](#) – online information about reporting methods

[Information required by regulator \(Appendix 1\)](#)

# Part 1 All Western Australian workplaces

**This section applies to all Western Australian workplaces.**

## What is a 'notifiable incident'?

A 'notifiable incident' is:

- the death of a person
- a 'serious injury or illness', or
- a 'dangerous incident'

arising out of the conduct of a business or undertaking at a workplace.

'Notifiable incidents' may relate to any person – employee, contractor, visitor, member of the public or volunteer.

## What are the requirements for a 'notifiable incident'?

The WHS legislation requires a person conducting a business or undertaking (PCBU) to:

- report a 'notifiable incident' arising out of the conduct of the business or undertaking to the regulator immediately after becoming aware it has happened, by the fastest possible means
- provide written notification of the incident within 48 hours of a request by the regulator to do so, and
- preserve the incident site until an inspector arrives or directs otherwise (subject to some exceptions).

Failing to report a 'notifiable incident' or preserve the site of a 'notifiable incident' are offences and penalties may apply.

## What is a 'work-related' incident?

A notifiable incident arises out of the conduct of the business or undertaking – e.g., the condition of the worksite, the way work is organised, the way tools are used, what environmental or psychosocial hazards a worker was exposed to.

Where the death of a worker occurs at a worksite it should be treated as work-related. Even where the death appears to be non-work related, e.g. a fatal heart attack, the work conditions may be a factor and so it should be notified.

A natural death is a death that occurs from natural causes such as old age, or an illness unrelated to or not acquired through work. The natural death of a non-worker at a workplace, such as an ill person in hospital or in aged care, is likely to be non-reportable, unless it is related to the conduct of the business or undertaking.

If there is uncertainty as to whether the death is work-related, the regulator should be notified of the incident.

## Who is responsible for notifying?

The PCBU of the workplace is responsible for ensuring the regulator is notified.

A PCBU at a mine that is not the mine operator must also ensure that the mine operator is notified as soon as reasonably practicable of any notifiable incident that has been notified to the regulator.

### Incidents involving multiple businesses or undertakings

If a 'notifiable incident' arises out of more than one business or undertaking, then each must ensure that the incident has been notified to the regulator.

There is no need for all duty holders to notify – only one needs to. However, all duty holders must ensure that notification has occurred.

Duty holders should, so far as is reasonably practicable, consult, cooperate and coordinate to put appropriate reporting and notification arrangements in place.

Best practice is that PCBUs have an agreement on which PCBU will notify the regulator and a policy for all PCBUs to ensure they have a record of the notified incident reference number and any directions or authorisations provided by the regulator.

For example, contractors at a construction workplace may agree that the principal contractor for the workplace will notify all 'notifiable incidents' that occur at the workplace. The PCBUs may agree that the PCBU who notifies the regulator will provide the incident reference number to other PCBUs with the duty to notify.

## Preserve the site

When a notifiable incident has occurred at a workplace, the person with management or control of the workplace must, so far as is reasonably practicable, preserve the incident site, including any plant, substances or tools that may assist to determine the cause of the incident, and not disturb it until a WorkSafe inspector arrives at the site or directs otherwise. Penalties may apply if a site is not preserved.

Preserving an incident site does not prevent any action needed:

- to assist an injured person
- to remove a deceased person
- to make the site safe or to minimise the risk of a further notifiable incident, or
- to facilitate a police investigation.

### Can work continue where the incident occurred?

The incident site does not necessarily extend to the whole workplace where the incident occurred and it may be possible for work to continue in areas of the workplace that are outside of the incident area. Any continuance of work must not affect the preservation of the incident site, directly or indirectly. Where there is any doubt as to whether continuance of work will affect the incident site, advice should be sought from a WorkSafe inspector.

Notifications are actioned as soon as possible and a WorkSafe inspector will contact the PCBU in relation to whether the site may be released.

## When to notify

The regulator must be notified immediately after the PCBU becoming aware of a 'notifiable incident'.

The regulator has a reasonable approach to assessing whether an incident has been notified immediately. This means incidents must be notified as soon as the particular circumstances permit – e.g., after seeking urgent medical assistance.

Generally, a PCBU 'becomes aware' of a notifiable incident once any of their supervisors or managers becomes aware of the incident. Have procedures in place to ensure incidents are escalated rapidly to the people responsible for responding to them, e.g. the manager so that notifications to the regulator can be made promptly.

## Duty to keep records

Records of notifiable incidents must be kept for at least five years from the date of notification. It is prudent for a PCBU to keep a record of having made the notification (e.g. confirmation of reference number from the regulator), and any directions or authorisations given at the time of notification.

## Notifiable incidents – further information

A notifiable incident must arise out of the conduct of the business or undertaking and may occur on or near the workplace. If an incident occurs at accommodation owned or under the management or control of the business or undertaking, where the worker's occupancy is necessary for the purposes of the worker's engagement, it may be a notifiable incident.

### Fatalities

The regulator will investigate the cause of all reported fatalities within or related to a workplace unless it is determined by the regulator to be a non-notifiable death.

### Notifiable

#### Work-related fatality

Incident relates to the conduct of the business or undertaking.

Examples: Worker death on-site, scaffold collapse causing death to a passer-by to a construction site, death of a tourist on a paid hiking trip who has been exposed to dangerous conditions. Death of a visitor or a member of the public at a worksite is notifiable, if it is related to the conduct of the business or undertaking.

Where an incident resulting in the death of a worker occurs at a worksite, this should be considered to be work-related. This includes where a person has been removed from a worksite for medical treatment from an incident, and dies in hospital as a consequence of the work incident. Both of these would be notifiable via 1800 678 198 (24 hour line).

## Non-notifiable

### Non-work-related, non-jurisdictional

Incident does not relate to the conduct of the business or undertaking.

Examples: A road traffic death in a privately-owned car of a person travelling between home and work, death to a worker from a medical procedure unrelated to work conditions, deaths in palliative care/aged care/hospital (unless the death is linked to a work procedure – such as a resident falling while being lifted by a service provider).

For advice about a non-worker death, a PCBU can call 1300 307 877 between 8.00 am and 5.00 pm Monday to Friday, and 1800 678 198 outside of these times.

### Serious injuries/illness

The regulator will assess all notified incidents within or related to a workplace that are a serious injury or disease, to determine the appropriate action.

[Appendix 2 lists the serious injuries or illness that must be notified.](#)

A serious injury or illness includes where the incident occurs in a remote location and requires the person to be transferred urgently to a medical facility for treatment. It also includes where, in the opinion of a medical practitioner, the person will likely not be able to do their normal work for at least 10 days after the day on which the injury or illness occurs.

### Dangerous incidents (near-miss, life threatening events)

Some types of work-related dangerous incidents must be notified even if no-one is injured. A dangerous incident includes both immediate serious risks to health or safety, and also a risk from exposure to a substance which is likely to create a serious risk to health or safety in the future, for example asbestos or hazardous chemicals. The regulator will assess all workplace-related life-threatening incidents, to determine the appropriate action.

[Appendix 3 lists the dangerous incidents that must be notified.](#)

### Additional notification requirements for mines and petroleum and geothermal energy operations (PAGEO)

Additional notification requirements apply to mines/mine operators and PAGEO/facility operators. Please see Parts 2 and 3 of the guideline.

### Reporting of psychosocial hazards, sexual harassment, assault and bullying

Reporting of incidents of psychosocial hazard exposure and the occurrence of psychological injuries (including gendered violence) are within the range of incidents that must be notified for all Western Australian workplaces.

Information on this topic has been prepared specifically for mine sites (see [Gendered violence: Notification of sexual harassment and/or assault to WorkSafe Mines Safety](#)).

For workplaces that are not mine sites, assessment of whether psychological injuries are notifiable is determined by whether they meet the criteria in Appendix 2.

The suicide of a worker at their workplace should be considered notifiable, as it may be related to psychosocial hazards at the workplace.

An attempted suicide at a general or petroleum/geothermal workplace is likely to be notifiable when it causes serious injury, as defined in Appendix 2.

An attempted suicide at a mine or a place associated with a mine is a reportable incident, even if the worker is not injured or their injury does not meet the criteria of a serious injury (see Part 2 of this guideline).

### **Accommodation premises**

Incidents that happen at accommodation provided for workers by the PCBU need to be assessed to determine whether they are work related. If so, they need to be notified. For example, if a worker is seriously injured because a known hazard was not fixed by the PCBU at accommodation provided by the PCBU, it is a notifiable event.

The suicide of a worker at their workplace-provided accommodation may be notifiable as it could be related to psychosocial hazards at the workplace.

At a general or petroleum workplace the attempted suicide of a worker at their workplace-provided accommodation may be notifiable if it caused serious injury, as set out in the criteria in Appendix 2.

However, for a mine operator, an attempted suicide of a worker at their workplace-provided accommodation is a 'reportable event', even if the worker is not injured or their injury does not meet the criteria of a serious injury (see Part 2).

### **Incidents involving a State-based contractor working for a Commonwealth entity**

Workplaces shared by a Commonwealth entity and one or more state-based contractors may be covered by both Commonwealth and WA WHS laws. For example, where an asbestos removal company is engaged by the Department of Defence (Defence) to carry out asbestos removal work at defence barracks and a dangerous incident occurs (as defined above). If a notifiable incident occurred at a place where the work is carried out for Defence both Comcare and the WorkSafe regulator would need to be notified of the incident.

### **Incidents that occur at public places or sporting events**

[Appendix 4 provides advice about incidents that occur at public places or sporting events.](#)

### **The regulator's actions after a notification**

The incident notification information will be assessed to determine the appropriate course of action, in line with the [WorkSafe compliance and enforcement policy](#).

As the incident site, and any plant, substances or tools that can assist to determine the cause of the incident must be preserved as far as is reasonably practicable until a WorkSafe inspector arrives on site or directs otherwise; advice will be provided to the PCBU about site preservation.

For serious matters, the inspector may issue a non-disturbance notice if they consider that the incident site should remain undisturbed in order to facilitate their investigation. This notice must specify the period for which the notice is to apply.

A PCBU unsure about matters in relation to preserving a site should contact the WorkSafe inspector allocated to the incident, if the details are known, or otherwise call WorkSafe via 1300 307 877 during business hours.

Generally, WorkSafe will not investigate the specific circumstances of a suicide event on the basis that the Coroner of Western Australia investigates such matters. In some circumstances WorkSafe may conduct investigations into a workplace's management of psychosocial hazards following notification of a suicide event which may have connection to that workplace.

# Part 2 Mining operations

**This section applies to Western Australian workplaces that fall within the definition of a mine with mining operations, as defined in the Work Health and Safety (Mines) Regulations 2022.**

The following notification and reporting requirements apply to mine operators/mine sites in addition to Part 1.

## 'Reportable incidents'

The WHS Mines Regulations requires a mine operator to:

- notify a 'reportable incident' arising out of the carrying out of mining operations at the mine to the regulator as soon as possible after becoming aware it has happened
- provide the notification in writing using the approved form, and
- include specific information, if the incident results in an illness or injury (listed in Schedule 24 of the WHS Mines Regulations).

Where a PCBU at a mine is not the mine operator, they must ensure the mine operator is notified of a 'reportable incident' as soon as practicable after any reportable incident occurs.

Failing to report a 'reportable incident' is an offence and penalties may apply.

## Definition of a 'reportable incident'

The definition of 'reportable incidents' means any of the following that is not a notifiable incident:

- (a) an incident that results in illness or injury that requires medical treatment
- (b) a significant seismic event
- (c) extensive subsidence
- (d) an air blast in an underground mine
- (e) an unplanned event that causes only one exit from an underground mine to be available for use
- (f) damage to any plant, building or structure so as to impede its safe operations
- (g) damage to, or failure of, any part of a winding system, mine shaft conveyance, mine shaft or shaft plant
- (h) control is lost over a vehicle or other plant, or it unintentionally activates, moves or fails to stop
- (i) plant makes contact with an energised high voltage source
- (j) an accidental ignition or detonation of explosives
- (k) a delayed or fast ignition of explosives
- (l) fly rock from a blast—
  - is ejected outside the area cleared of people during the blast; or
  - lands near a person
- (m) an unplanned immersion of a person in liquid
- (n) a thing in an underground mine spontaneously combusts

- (o) a person is adversely affected by an exposure to a toxic substance, including a gas, fumes, a vapour or poison
- (p) a person loses consciousness because of a workplace incident
- (q) a person attempts suicide at a mine or a place associated with a mine, including at accommodation for a worker at the mine
- (r) a workplace incident that could have caused serious harm to a person, plant or structure.

## Information to be included in notification of reportable incidents

### 1 Mine

- 1.1 The name of the mine operator of the mine.
- 1.2 The location of the mine.

### 2 Person ill or injured

- 2.1 The following details of a person who has suffered an illness or injury in a reportable incident –
  - (a) the person's name, gender and date of birth
  - (b) the business or undertaking the person was engaged in, including the name of the business or undertaking
  - (c) whether the person is a worker at the mine
  - (d) if the person is a worker at the mine –
    - (i) the worker's occupation; and
    - (ii) the worker's usual start and finish time; and
    - (iii) the worker's start and finish time on the day on which the reportable incident occurred; and
    - (iv) the nature of the worker's engagement;
  - (e) if the person is not a worker at the mine and is a visitor at the mine when the reportable incident occurred – that the person was a visitor;
  - (f) if the person is not a worker or visitor at the mine – the industry in which the person's business or undertaking is primarily conducted.

### 3 Reportable incident

- 3.1 The following details about the reportable incident –
  - (a) the date and time when the incident occurred
  - (b) if a person has an illness as a result of the incident – the date when the illness was first reported to the mine operator
  - (c) a description of the incident, including –
    - (i) what each affected person was doing before the incident; and
    - (ii) a description of all substances (including hazardous chemicals), plant and processes involved in the incident;
  - (d) the classification under the 3rd edition revision 1 of the document entitled "Type of Occurrence Classification System" published in 2008 by the Australian Safety and Compensation Council (and under that document as remade from time to time) of –
    - (i) the mechanism of the incident; and
    - (ii) the agency of the injury; and
    - (iii) the nature and bodily location of the injury.

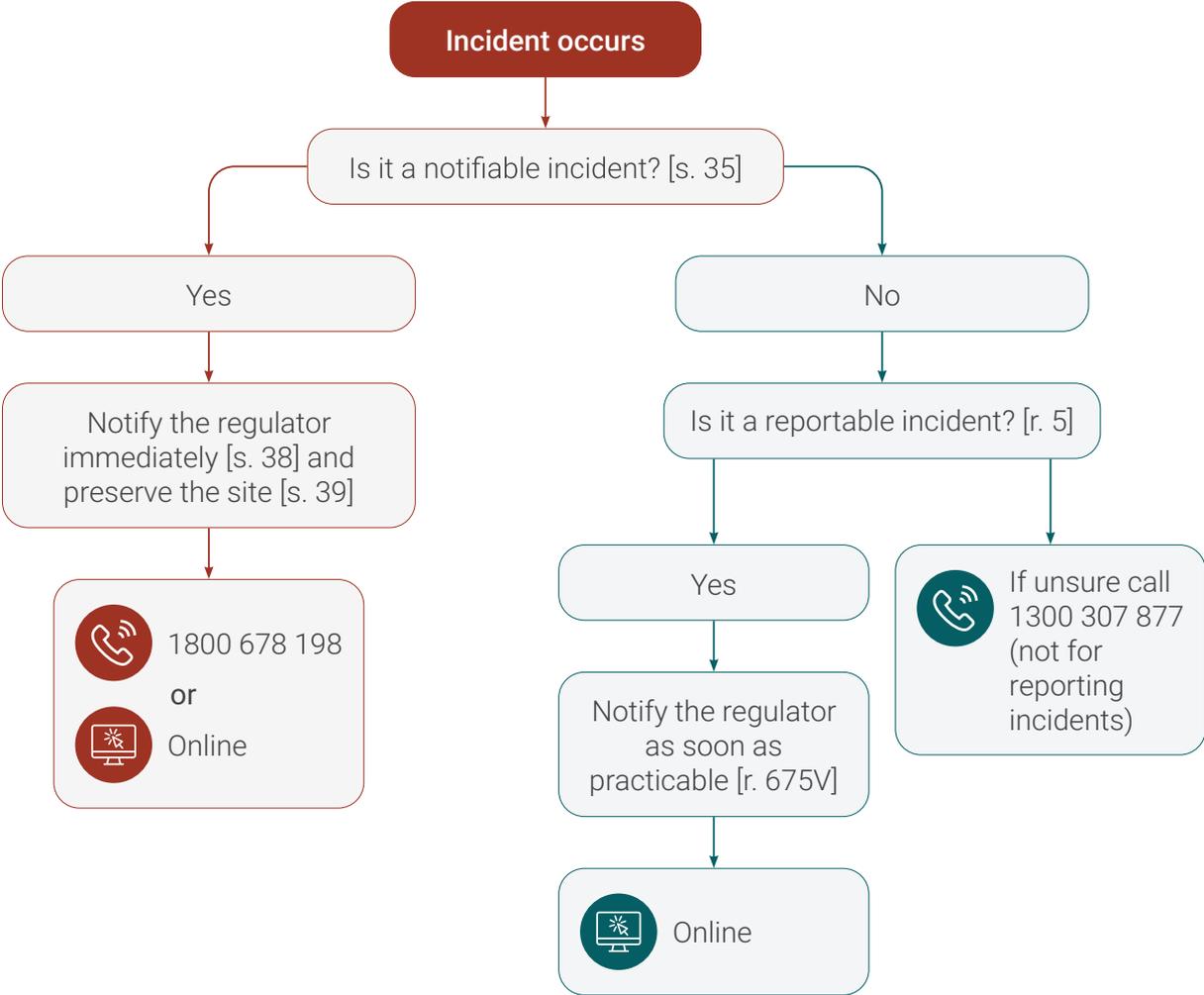
## 4 Consequences of reportable incident

- 4.1 Whether the reportable incident results in –
  - (a) the worker being unable to work for 1 or more days; or
  - (b) the worker carrying out limited work; or
  - (c) the worker receiving medical treatment.
- 4.2 Whether the reportable incident is likely to, or could, result in –
  - (a) the death of a person; or
  - (b) a permanent incapacity of a person; or
  - (c) a matter specified in item 4.1.

### Quarterly reporting

All notifiable incidents and reportable incidents must be included in the quarterly work health and safety report provided to the regulator (as a summary only – details are only required if the incident has not been previously reported).

# Report an incident that occurs at a mine to WorkSafe



For a PCBU who is not the mine operator.

For notifiable incidents you must preserve the site and notify the regulator first, and then notify the mine operator as soon as practicable after notifying the regulator [r. 675X(1)].

For reportable incidents you must notify the mine operator as soon as practicable after the incident occurs [r. 675X(2)].

A serious injury, illness, a death or a life-threatening dangerous incident can be notified 24 hours a day, 7 days a week by calling 1800 678 198.

All mine incidents must also be notified online.

# Part 3 Petroleum and geothermal energy operations

**This section applies to Western Australian workplaces that fall within the definition of a petroleum operation or a geothermal energy operation, as defined in the Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022**

The following notification requirements apply to petroleum and geothermal energy operations in addition to Part 1.

Firstly, the definition of a 'dangerous incident' is expanded in regard to geothermal facilities and petroleum facilities to include:

- the collapse, overturning or collision of any marine vessel or plant that forms part of a facility
- the inrush of petroleum, gas, water, steam or mud into a facility
- an incident where the safe operating parameters of a facility are exceeded.

These definitions are added to the list of dangerous incidents found in Appendix 3. These dangerous incidents fall into the category of 'notifiable incidents' and must be treated and reported as set out in Part 1 of the guideline.

## 'Notifiable occurrence'

An incident should first be assessed to determine whether it is a 'notifiable incident', and if it is not, then whether it is a notifiable occurrence.

Notifiable occurrences are defined in the Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022 (the WHS PAGEO Regulations).

The WHS PAGEO Regulations require the operator of a PAGEO facility to:

- report a 'notifiable occurrence' to the regulator immediately after becoming aware it has happened
- notify by the fastest possible means, via phone or in writing using the approved form, and
- provide written notification of the incident within 48 hours of a request by the regulator to do so.

Failing to report a 'notifiable occurrence' is an offence and penalties may apply.

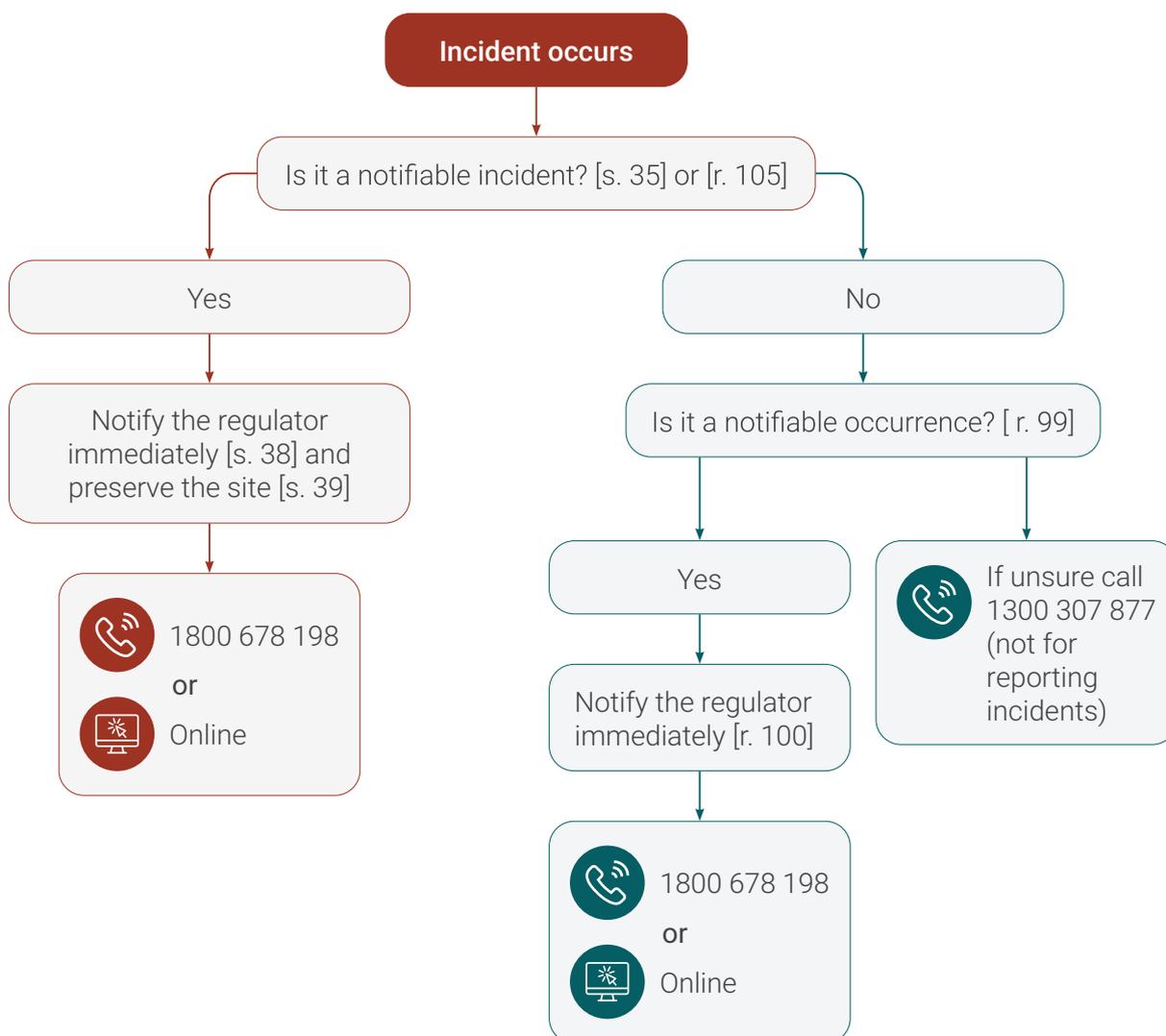
## Definition of a 'notifiable occurrence'

The definition of 'notifiable occurrence' means any of the following:

- (a) an occurrence that did not cause, but could reasonably have been expected to cause —
  - (i) the death of, or serious personal injury to, a person; or
  - (ii) a worker to be incapacitated from performing work for a period of 3 or more days
- (b) the failure of a safety critical element to meet the requirements of the performance standard
- (c) the defect of, or damage to, a safety critical element
- (d) the significant defect of, or damage to, a primary petroleum containment

- (e) the significant defect of, or damage to, a structure, marine vessel or item of plant that forms part of an industrial, chemical or physical process performed on –
  - (i) petroleum; or
  - (ii) fluid containing geothermal energy;
- (f) a well kick that requires immediate action to bring under control
- (g) an event that requires the emergency response plan to be implemented
- (h) in relation to a diving operation –
  - (i) a decompression illness; or
  - (ii) a pulmonary barotrauma; or
  - (iii) a case of omitted decompression; or
  - (iv) an occurrence for which the standby diver is deployed for an emergency, except for the purposes of training, exercises or drills; or
  - (v) a failure of life support equipment or man riding equipment;
- (i) an occurrence of another kind that a reasonable operator would consider to require an immediate investigation.

## Report a petroleum incident or occurrence to WorkSafe



# Appendix 1 What information will be requested?

The regulator will ask for a clear description of the incident with as much detail as possible. This will help the regulator assess whether or not the incident is notifiable and the need for a follow-up investigation. The following information is usually requested:

<b>What happened: an overview</b>	<ul style="list-style-type: none"> <li>• Provide an overview of what happened.</li> <li>• Nominate the type of notifiable incident – was it death, serious injury or illness, or ‘dangerous incident’ (see definitions in appendices)</li> </ul>
<b>When did it happen</b>	Date and time.
<b>Where did it happen</b>	Incident address. Details that describe the specific location of the notifiable incident – for example section of the warehouse or the particular piece of equipment that the incident involved – to assist instructions about site disturbance.
<b>What happened</b>	Detailed description of the notifiable incident.
<b>Who did it happen to</b>	<ul style="list-style-type: none"> <li>• Injured person’s name, date of birth, address and contact number.</li> <li>• Injured person’s occupation.</li> <li>• Relationship of the injured person to the entity notifying.</li> </ul>
<b>How and where are they being treated (if applicable)</b>	<ul style="list-style-type: none"> <li>• Description of serious injury or illness – i.e. nature of injury</li> <li>• Initial treatment of serious injury or illness.</li> <li>• Where the patient has been taken for treatment (if applicable).</li> </ul>
<b>Who is the person conducting the business or undertaking (there may be more than one)</b>	<ul style="list-style-type: none"> <li>• Legal and trading name.</li> <li>• Business address (if different from incident address), ABN/ACN and contact details including phone number and email.</li> </ul>
<b>What has/is being done</b>	Action taken or intended to be taken to prevent recurrence (if any).
<b>Who is notifying</b>	<ul style="list-style-type: none"> <li>• Notifier’s name, contact phone number and position at workplace.</li> <li>• Name, phone number and position of person to contact for further information (if different from above).</li> </ul>

Notify immediately, and provide the information you can, even if you do not have all of the required information.

The regulator may follow-up with a request for more information later if necessary. You must provide the required information in writing within 48 hours of the request being made.

## Amending notifications

If you receive information that changes the incident type of a notified incident, you must notify the regulator of those changes.

### Examples

If a an incident of serious injury or illness is notified, but later results in the person's death, the regulator must be advised immediately upon you learning that the person has died.

If an incident has been reported as a reportable incident or notifiable occurrence, but later circumstances mean it now meets the definition of a notifiable incident, the regulator must be notified immediately.

To notify the regulator that a previously reported incident is now a notifiable incident, call 1300 307 877 during business hours. Alternatively, a change in details to a reportable incident can be emailed to [srsmanager@dmirs.wa.gov.au](mailto:srsmanager@dmirs.wa.gov.au). A change in details to a notifiable occurrence can be made [online](#).

## Appendix 2 Definition of a serious illness or injury

Types of treatment	Examples
Immediate treatment as an in-patient in a hospital	<p>Admission into a hospital as an in-patient for any duration, even if the stay is not overnight or longer.</p> <p>It does not include:</p> <ul style="list-style-type: none"> <li>• Out-patient treatment provided by the emergency section of a hospital (i.e. not requiring admission as an in-patient).</li> <li>• Admission for corrective surgery which does not immediately follow the injury (e.g. to fix a fractured nose).</li> </ul>
Immediate treatment for the amputation of any part of the body	<p>Amputation of a limb such as arm or leg, body part such as hand, foot or the tip of a finger, toe, nose or ear.</p>
Immediate treatment for a serious head injury	<ul style="list-style-type: none"> <li>• Fractured skull, loss of consciousness, blood clot or bleeding in the brain, damage to the skull to the extent that it is likely to affect organ/face function.</li> <li>• Head injuries resulting in temporary or permanent amnesia.</li> </ul> <p>It does not include:</p> <p>A bump to the head resulting in a minor contusion or headache.</p>
Immediate treatment for a serious eye injury	<ul style="list-style-type: none"> <li>• Injury that results in or is likely to result in the loss of the eye or total or partial loss of vision.</li> <li>• Injury that involves an object penetrating the eye (for example metal fragment, wood chip).</li> <li>• Exposure of the eye to a substance which poses a risk of serious eye damage.</li> </ul> <p>It does not include:</p> <ul style="list-style-type: none"> <li>• Eye exposure to a substance that merely causes irritation.</li> <li>• Foreign bodies such as metal particles on the surface of the eye that may be treated with flushing and eye drops.</li> </ul>
Immediate treatment for a serious burn	<p>A burn requiring intensive care or critical care which could require compression garment or a skin graft.</p> <p>It does not include:</p> <p>A burn that merely requires washing the wound and applying a dressing.</p>
Immediate treatment for the separation of skin from an underlying tissue (such as de-gloving or scalping)	<p>Separation of skin from an underlying tissue such as tendon, bone or muscles are exposed (de-gloving or scalping).</p> <p>It does not include:</p> <p>Minor lacerations.</p>

Types of treatment	Examples
Immediate treatment for a spinal injury	<p>Injury to the cervical, thoracic, lumbar or sacral vertebrae including the discs and spinal cord.</p> <p>It does not include: Back strain.</p>
Immediate treatment for the loss of a bodily function	<p>Loss of consciousness, loss of movement of a limb or loss of the sense of smell, taste, sight or hearing, or loss of function of an internal organ.</p> <p>It does not include:</p> <ul style="list-style-type: none"> <li>• Mere fainting.</li> <li>• A sprain or strain.</li> </ul>
Immediate treatment for serious lacerations	<ul style="list-style-type: none"> <li>• Deep or extensive cuts that cause muscle, tendon, nerve or blood vessel damage or permanent impairment.</li> <li>• Deep puncture wounds.</li> <li>• Tears of wounds to the flesh or tissues—this may include stitching to prevent loss of blood and/or other treatment to prevent loss of bodily function and/or infection.</li> </ul>
Medical treatment within 48 hours of exposure to a substance	<p>‘Medical treatment’ is treatment provided by a doctor.</p> <p>Exposure to a substance includes exposure to chemicals, airborne contaminants and exposure to human and/or animal blood and body substances.</p>
Injury or illness in a remote location that requires urgent transfer to a medical facility for treatment	<ul style="list-style-type: none"> <li>• Includes any injury or illness not specified previously that cannot be treated at or near the site of the incident.</li> <li>• A remote location is any location that is not served by ordinary ambulance services. It may include mines and offshore facilities, rail camps, geological surveys, small remote towns and shires, stations, agriculture properties, and isolated holiday facilities.</li> <li>• A medical facility includes a hospital and any other facility that provides medical services.</li> </ul>
Injury or illness that a medical practitioner considers likely to prevent the person from being able to do their normal work for at least 10 days	<ul style="list-style-type: none"> <li>• Captures any illness or injury not specified previously that prevents a person from doing their <b>normal</b> work for at least 10 days after the day of the injury or illness.</li> <li>• This determination may only be made by a medical practitioner and may be in the form of a medical certificate or letter.</li> <li>• Notification must be provided even if the worker is capable of light duties (e.g. a warehouse worker who is moved to desk duties for the duration of their recovery).</li> </ul>

Notification is also required for the following serious illnesses:

- Any infection where the work is a significant contributing factor. This includes any infection related to carrying out work:
  - with micro-organisms
  - that involves providing treatment or care to a person
  - that involves contact with human blood or body substances
  - that involves handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products.
- The following occupational zoonoses contracted in the course of work involving handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products:
  - Q fever
  - Anthrax
  - Leptospirosis
  - Brucellosis
  - Hendra Virus
  - Avian Influenza
  - Psittacosis.

## Treatment

'Immediate treatment' means the kind of urgent treatment that would be required for a serious injury or illness. It includes treatment by a registered medical practitioner, a paramedic or registered nurse.

'Medical treatment' refers to treatment by a registered medical practitioner (a doctor).

Even if immediate treatment is not readily available, for example because the incident site is rural or remote or because the relevant specialist treatment is not available, the notification must still be made.

## Appendix 3 Definition of a dangerous incident (includes 'near misses')

The regulator must be notified of any incident in relation to a workplace that exposes any person to a **serious** risk resulting 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:
  - examples of electrical shock that are not notifiable
    - shock due to static electricity
    - 'extra low voltage' shock (i.e. arising from electrical equipment less than or equal to 50V AC and less than or equal to 120V DC)
    - defibrillators are used deliberately to shock a person for first aid or medical reasons
  - examples of electrical shocks that are notifiable
    - shock resulting from direct contact with exposed live electrical parts (other than 'extra low voltage') including shock from capacitive discharge
- 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 design or item registered under the WHS regulations, for example a collapsing crane
- 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, or
- the interruption of the main system of ventilation in an underground excavation or tunnel.

Does not include an event of the types above if a person is not exposed to a serious risk; for example there is a fire of a minor nature that is controlled without presenting a serious risk. While this example is of something that does not meet the definition of a 'dangerous incident', it may still need to be notified as a 'reportable incident' or 'notifiable occurrence'.

### Additional notification requirements for petroleum and geothermal energy operations

The definition of a 'dangerous incident' is expanded for PAGEO to include:

- (a) the collapse, overturning or collision of any marine vessel or plant that forms part of a facility
- (b) the inrush of petroleum, gas, water, steam or mud into a facility
- (c) an incident where the safe operating parameters of a facility are exceeded.

# Appendix 4 Public places and sporting events

Workplaces may also be public or partly public places. Incidents occurring at these places involving bystanders, visitors, students, patrons or other members of the public are only notifiable if they arise out of work occurring at or near the site, e.g., a member of the public being struck by a council-operated mower. Examples of public or partly public places include:

- public parks, streets
- public transport
- shopping centres
- sports facilities
- schools and colleges
- aged care facilities, hospitals and medical centres
- cafes, restaurants, hotels and other kinds of public accommodation.

Incidents occurring at these places involving bystanders, visitors, students, patrons or other members of the public are only notifiable if the incident arises out of the conduct of a business or undertaking and:

- there is a death, or
- a 'serious injury or illness' is suffered, or
- there is a dangerous incident ('near miss' as described earlier).

An incident may arise out of the conduct of a business or undertaking for example because of:

- the way a work activity is organised (for example inadequate safety precautions)
- the way equipment or substances are used (for example lifts, machinery)
- the condition of a workplace (for example poorly maintained or slippery floors)
- actions of someone who is not a worker at the workplace.

If a visitor at a shopping centre is taken to hospital after falling and sustaining a serious fracture then the incident would be notifiable. If a visitor is taken to hospital because of their pre-existing medical condition (for example heart attack, epileptic seizure at a shop) this would not be notifiable as it did not result from the conduct of the business or undertaking.

## Incidents during sports activities

Work health and safety duties apply in relation to professional sports people for whom sport is work and sport organised by businesses or undertakings. They do not apply to purely social or recreational activities or activities organised by wholly volunteer associations that do not employ anyone.

For more information about the way the work health and safety laws affect volunteers and organisations with volunteers refer to [Work health and safety for volunteer organisations: Guide](#).

Some sports injuries may arise from 'work' (for example a professional AFL footballer) while others may not (a local amateur club footballer).

Sports injuries are **not notifiable** if arising out of the normal conduct of a sports activity, for example rough and tumble of a game.

Sports injuries **are notifiable** only if arising out of the conduct of a business or undertaking, for example:

- the way a work activity involving sport is arranged
- the way the sporting activity is managed or controlled
- the condition, design or maintenance of premises or equipment, or
- the way work is carried out, for example inadequate supervision.

Examples of notifiable incidents include:

- the condition of the premises or the sports equipment managed by a PCBU was a factor in the incident—for example where a participant suffers an injury requiring admission as an inpatient at a hospital due to tripping over on a potholed tarmac surface, or
- there was inadequate supervision to prevent an incident—like ensuring the safe use of equipment used by students on a school excursion or failings in a PCBU's organisation and management of an event.



Department of Mines, Industry Regulation  
and Safety

303 Sevenoaks Street  
CANNINGTON WA 6107

Telephone: 1300 307 877

NRS: 13 36 77

Email: [Safety@dmirs.wa.gov.au](mailto:Safety@dmirs.wa.gov.au)

Website: [www.dmirs.wa.gov.au](http://www.dmirs.wa.gov.au)