

Workplace Health & Safety Update



Failing to Report a Notifiable Incident

WHS 15/03 B

Failing to report a notifiable incident

A notifiable incident can vary across the different states, but as a 'rule of thumb' the following types of incidents will always be immediately notifiable:

- An incident resulting in someone's death or causing serious injury/illness
- A dangerous incident that is the direct result of a work environment or work-related activity

In Queensland under our Work Health and Safety legislation any incident that requires Worker's Compensation or is classified as a Lost Time Injury (LTI) must be reported to Workplace Health & Safety Queensland via their notification process within 24 hours of the incident.

If a notifiable incident occurs, you must preserve the incident site until a Workplace Health & Safety Inspector arrives – do not touch or disturb an incident site unless it is required to assist the injured person or make it safe for other workers.

If you fail to report a notifiable incident, you could face penalties ranging from \$8,856.60 to \$25,000.00 for an individual or from \$44,283 to \$50,000 for a corporation. These penalties also apply for disturbing the incident site without a justifiable reason.

Case in Point

A business in Victoria was prosecuted for failure to notify WorkSafe Victoria of a serious head injury sustained by a worker. In addition, the court noted that the business had also failed to preserve the incident site. Instead of a conviction, the court imposed a special condition on the order that the business pay money directly to the injured worker, as well as court costs. They have to continue making weekly payments to the injured worker to ensure the statutory workers' compensation payments were topped up to an amount equaling 100% of the worker's pre-injury salary (usually you receive 85% of your wage from Workcover for first 6 months and then drops to 75% etc)

If you require any further information on notifiable incidents or advice on how to handle an incident, contact Simmone Porter on 3915 4234 or whs@brismark.com.au

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