



WORKSAFE VICTORIA

INCIDENT NOTIFICATION FORM

SECTION 38(3) OCCUPATIONAL HEALTH AND SAFETY ACT 2004 AND REGULATION 904 EQUIPMENT (PUBLIC SAFETY) REGULATIONS 2007

October 2007

Reference Number - - -

Ring 132 360 to obtain a Reference Number.

The Reference Number is your proof of immediate notification. Immediate notification is required under section 38(1) of the *Occupational Health and Safety Act 2004* and regulation 903(1) of the *Equipment (Public Safety) Regulations 2007*.

Person Submitting Details (Please print in BLOCK letters)

Name Position Title Telephone Number

Date / / Date of Incident / / Time of Incident

Name of Employer / Self-Employed Person / Person in Charge of Prescribed Equipment

Business Address (Not P.O. Box) Postcode

Name of Employer of Deceased / Injured Person(s), if any, if different from above

Address or Location where Incident Occurred

Brief Description of the Incident

Details of Deceased / Injured Person(s)

Name Male Female

Residential Address Postcode

Date of Birth / / Telephone Number

Occupation / Job Title Employee / Contractor / Member of Public

Work / Activity being undertaken at Time of Incident (Identify any Plant, Substance, Equipment Involved)

Brief description of injuries

Person(s) who saw Incident or first came to Scene

Action Taken / Intended, if any, to prevent recurrence of Incident

The above information is to be provided to the extent that it is known at the time of writing

Declaration

I declare that where I provide personal or health information to the Victorian WorkCover Authority (VWA) about any other individual, I am authorised to provide that information, the information has been collected in accordance with applicable privacy legislation and the individual has been or will be made aware of the VWA's identity and how to contact it and of the other matters of which an individual is required to be made aware when personal or health information is collected about them.

Signature Date / /

Name

Optional

WorkCover ID

Establishment No

Collection of Personal and Health Information

VWA is a body corporate established under the *Accident Compensation Act 1985*. To obtain the contact details of your nearest VWA office, visit our website at www.worksafe.vic.gov.au Personal and health information collected in connection with this notification will be used for the purpose of monitoring, assessing and investigating workplace incidents. The information may also be used for the purpose of administering and enforcing legislation administered by the VWA, administration and evaluation of the VWA's programs generally and legal proceedings. Subject to Section 10 of the *Occupational Health and Safety Act 2004*, the VWA may disclose such information to its contractors and agents, to other regulatory agencies, to a court or tribunal and to any person or organisation authorised by the individual to whom it relates, or by law, to obtain it. Collection of this information is required by the *Occupational Health and Safety Act 2004* and other legislation administered by the VWA. If you do not provide any of this information, you may be subject to a penalty. Individuals have rights of access to personal and health information the VWA holds about them: contact the VWA Freedom of Information Officer. You can access the VWA Privacy Policy at www.worksafe.vic.gov.au

Notice of an Incident

This information is a summary of the incident notification provisions and should be read in conjunction with the legislation

Part 5 of the *Occupational Health and Safety Act 2004* requires an employer or self-employed person to notify WorkSafe immediately after becoming aware of an incident at a workplace which results in—

- the death of any person; or
- a person requiring medical treatment within 48 hours of exposure to a substance; or
- a person requiring immediate treatment as an in-patient in a hospital; or
- a person requiring immediate medical treatment for—
 - the amputation of any part of his or her body; or
 - a serious head injury; or
 - a serious eye injury; or
 - the separation of his or her skin from underlying tissue (such as de-gloving or scalping); or
 - electric shock; or
 - a spinal injury; or
 - the loss of a bodily function; or
 - serious lacerations

Notice of Incident that Exposes a Person to Risk

An **employer or self-employed person** must notify WorkSafe immediately after becoming aware of an incident at a workplace which exposes a person in the immediate vicinity to an immediate risk to the person's health and safety through—

- (a) the collapse, overturning, failure or malfunction of, or damage to, any plant that the regulations prescribe must not be used unless the plant is licensed or registered; or
- (b) the collapse or failure of an excavation or of any shoring supporting an excavation; or
- (c) the collapse or partial collapse of any part of a building or structure; or
- (d) an implosion, explosion or fire; or
- (e) the escape, spillage or leakage of any substance including dangerous goods as defined in the *Dangerous Goods Act 1985*; or
- (f) the fall or release from a height of any plant, substance or object; or
- (g) the following incidents in a mine:
 - (i) the overturning or collapse of any plant; or
 - (ii) the inrush of water, mud or gas; or
 - (iii) the interruption of the main system of ventilation

In addition to immediate notification, the employer/self-employed person must provide a written record of the incident to WorkSafe within 48 hours of becoming aware of an incident. This is the Approved Form for notification in writing. An Approved Electronic Form is also available at www.worksafe.vic.gov.au

1. to Notify WorkSafe immediately, call 132 360
2. for written notification send this Incident Notification Form to WorkSafe within 48 hours:
 - electronically via the web or
 - by post to GPO Box 4306, Melbourne 3001 or
 - by facsimile to (03) 9641 1091 or
 - by post or delivery to WorkSafe at 222 Exhibition Street, Melbourne 3000
3. keep a copy of the written record for at least 5 years

Site Preservation

The site of a notifiable must not be disturbed until an inspector arrives or until directed by an inspector except to protect the health and safety of a person; or provide aid to an injured person involved in the incident; or to take essential action to make the site safe or prevent a further incident.

Part 9 of the *Equipment (Public Safety) Regulations 2007* requires a person in charge of prescribed equipment at an equipment site to notify WorkSafe immediately after becoming aware of an incident involving the equipment which results in—

- the death of any person; or
- a person requiring medical treatment within 48 hours of exposure to a substance; or
- a person requiring immediate treatment as an in-patient in a hospital; or
- a person requiring immediate medical treatment for—
 - the amputation of any part of his or her body; or
 - a serious head injury; or
 - a serious eye injury; or
 - the separation of his or her skin from underlying tissue (such as de-gloving or scalping); or
 - electric shock; or
 - a spinal injury; or
 - the loss of a bodily function; or
 - serious lacerations

Notice of a Dangerous Occurrence

A **person** in charge of prescribed equipment at an equipment site must notify WorkSafe immediately after becoming aware of an incident involving the equipment which exposed a person in the immediate vicinity to an immediate risk to that person's health and safety through—

- (a) the collapse, overturning, failure or malfunction of, or damage to, any item of plant listed in 903 (3) of the *Equipment (Public Safety) Regulations 2007* and the Australian Standards referred to therein; or
- (b) an implosion, explosion or fire.

In addition to immediate notification, a person in charge of prescribed equipment must provide a written record of the incident to WorkSafe within 48 hours of becoming aware of the incident. This is the Approved Form for notification in writing. An Approved Electronic Form is also available at www.worksafe.vic.gov.au

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 - by post or delivery to WorkSafe at 222 Exhibition Street, Melbourne 3000

Site Preservation

The site of an incident where a death has occurred must not be disturbed until an inspector arrives or until directed by an inspector except to protect the health and safety of a person; or provide aid to an injured person involved in the incident; or to take essential action to make the site safe or prevent a further incident.