

Fact Sheet: Notifying WorkCover

Duty to notify NSW WorkCover of notifiable incidents

The CMO must ensure that NSW WorkCover is notified immediately after becoming aware that a notifiable incident arising out of the conduct of the organisation has occurred. The notice must be given by the fastest possible means; either by telephone, or in writing (written notice can be given by facsimile, email or other electronic means).

What is a notifiable incident?

A notifiable incident includes:

- the death of a person;
- a serious injury or illness (serious incident) to any person; or
- a dangerous incident.

What is a “serious injury or illness”?

Serious injury or illness of a person means an injury or illness requiring the person to have:

- (a) immediate treatment as an in-patient in a hospital, **or**
- (b) immediate treatment for:
 - the amputation of any part the body,
 - a serious eye, head or burn injury,
 - separation of skin from underlying tissue (eg scalping)
 - spinal injury,
 - loss of a bodily function,
 - serious lacerations, **or**
- (c) medical treatment within 48 hours of exposure to a substance, **or**
- (d) prescribed serious illnesses

What is a “dangerous incident”?

A **dangerous incident** means an incident exposing a worker or any other person to a serious risk to a person’s health or safety due to immediate or imminent exposure to:

- (a) implosion, explosion or fire,
- (b) escape of gas, steam, pressurised substance, or spillage / leakage of a substance,
- (c) electric shock,
- (d) the fall or release from a height of any plant, substance or thing,
- (e) the collapse or partial collapse of a structure,
- (f) the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with the regulations,
- (g) in relation to excavation:
 - the collapse or failure of an excavation or of any shoring supporting it
 - the inrush of water, mud or gas in workings, or the interruption of the main system of ventilation in an underground excavation or tunnel,
- (h) any other event prescribed by the regulations

Duty to preserve incident sites

The person with management or control of a workplace at which a notifiable incident has occurred must ensure so far as is reasonably practicable, that the site where the incident occurred is not disturbed until an inspector arrives at the site or any earlier time that an inspector directs. Exceptions are:

- to assist an injured person,
- to remove a deceased person,
- it is essential to make the site safe or to minimise the risk of a further notifiable incident,
- it is associated with a police investigation, or
- the inspector or the regulator has given permission.

When should a notification to WorkCover occur?

As soon as possible, after:

- ensuring immediate medical attention for the injured person, and
- ensuring other people in the vicinity are safe
- preserving the incident site so it will not be disturbed (except to assist the injured person or to make the site safe)
- verification of information about the notifiable incident.

Who should notify WorkCover?

A person authorised by the CMO.

How should the authorised person notify WorkCover?

by the fastest means possible

- call WorkCover immediately on 13 10 50 or
- fax, email

Notice by telephone

When giving notice to NSW WorkCover by telephone, make sure you:

- give the details of the incident requested by NSW WorkCover
- give a written notice of the incident within 48 hours of the request from NSW WorkCover
- in a form, or containing the details, approved by NSW WorkCover

If NSW WorkCover receives a notice by telephone and a written notice is not required, NSW WorkCover must give the notifier:

- details of the information received, or
- an acknowledgement of receiving the notice.

Record Keeping

The CMO must keep a record of each notifiable incident for at least 5 years from the day that notice of the incident is given to NSW WorkCover.

Fact Sheet: Notifying the Insurer

When should the insurer be notified?

Within 48 hours of serious incidents involving a fatality or a serious injury or illness to a worker

Within 48 hours of other incidents involving an injury or illness where workers compensation is payable (or may be payable eg for time lost, medical expenses) to a worker

Who should notify the insurer?

A person authorised by the CMO.

How should the authorised person notify the insurer?

Use the insurer's preferred method of notification - electronically, in writing or by phone.

What information needs to be provided to the insurer?

worker's information – their name, residential address, contact details and date of birth

employer's information – the business name, current business address and employer contact

treating Doctor information – the name of the doctor or hospital where the injured worker is being treated

injury or illness details – the date of the injury, description of how it happened and a description of the injury itself

notifier information – the name of person making the notification, relationship to injured worker and contact details

supporting information – anything else the notifier considers necessary.

What is a notification number?

It is a number provided to the notifier by the insurer, and is used to track the notification.