



Reporting school accidents & incident notification and response implementation of policy

At Les Powell School, all staff are to be aware of the school's protocols related to the [Reporting School Accidents Policy](#), [Incident Notification and Response Policy](#), the [Incident Notification and Response Procedures](#), and respond to any occurrence accordingly.

In the event of an accident, incident, injury, near miss or hazard involving employees, non-employees, students, parents, contractors or visitors, all employees are required to take immediate appropriate action to provide emergency care and first aid to anyone injured and advise the school front office, so that the school protocols for incident notification and response are promptly implemented.

All occurrences, whether in the school premises or excursions are to be recorded in the School Bytes system and communicated to parent/carers and respective team leaders. When an immediate team leader is not available, another team leader, should be promptly contacted.

Minor student injuries that arise from normal play incidents, such as cuts and bruises that do not arise from a notifiable incident or offence under relevant legislation, should be treated and documented within the school's first aid records.

Where an incident arises from a behaviour that is identified and effectively managed within a student's behaviour plan, an incident notification may not be required. However, incidents that arise from new or escalating behaviours (e.g., behaviours that are outside of that plan), or incidents that result in harm or injury to another person, or activation of lockdown/evacuation or emergency services being called, the incident should be reported to the Incident Report and Support Hotline by the executive team.

Any injury resulting from inappropriate student behaviour is to be managed using the school's student behaviour and engagement procedures that require staff to review the student's plan, record the behaviour in the School Bytes system and communicate occurrence to parent/carers.

Any injury to staff or visitor is to be reported using the register of injuries. (Appendix 1).

The school executive will report an incident to the **Incident Report and Support (IRS) Hotline on 1800 811 523** within the following timeframes:

- **Immediately** for any incidents notifiable under the WH&S Act 2011 to SafeWork NSW, (e.g., the death of a person or a serious injury or illness requiring immediate medical treatment).
- **Within the first hour** of an incident occurring that result in the attendance of emergency services or that result in the activation of the school's emergency management plan (e.g., evacuation or lock down of an area: Appendix 5).
- **As soon as practicable** (within 24 hours) for all other incidents of assault in accordance with requirements under the Crimes Act.
- **As soon as practicable** for any incident or injury to a student that is a result of a safety hazard or potentially dangerous incident or offence.

Incidents reported to the IRS are shared by the Hotline with other relevant areas, e.g., School Operations and Performance, Legal Services, Media unit, Child Wellbeing unit.

Incidents that may amount to reportable conduct or misconduct by a staff member will be reported directly to the Employee Performance and Conduct directorate by the principal.

Staff and school related incident requiring reporting to other organisations or further advice

Incident type	Contact
<p>For advice on police and other criminal matters.</p> <p>Case management services for incident response and injury and other health-related matters.</p> <p>Support for natural disaster planning and response.</p> <p>Incidents or concerns relating to anti- social or extremist behaviour.</p>	<p>The Health and Safety directorate: 1800 811 523</p>
<p>Child protection concerns involving risk of significant harm.</p>	<p>The Child Protection Helpline Dept. of Community & Justice</p>
<p>Concerns about risk of harm that do not meet the threshold of significant harm but are not trivial.</p> <p>When the NSW Mandatory Reporter Guide indicates this should be done.</p> <p>There is an observable pattern of cumulative harm that does not meet the threshold of significant harm.</p> <p>When a report has been made to the Child Protection Helpline but has been screened out as not reaching the threshold of risk of significant harm.</p>	<p>The Child Wellbeing unit: (02) 9269 9400</p>
<p>Allegations against employees of misconduct, criminal conduct or reportable conduct.</p>	<p>Employee Performance and Conduct directorate: (02) 7814 3722</p>
<p>Support in relation to legal advice including the <i>Enclosed Lands Protection Act 1901</i>, family law and legal aspects of managing incidents relating to weapons, searches, illegal drugs and court orders.</p>	<p>Legal Services unit: (02) 7814 3896</p>
<p>Urgent maintenance issues.</p> <p>Support in relation to asset-related safety issues including, tree safety, equipment safety, building maintenance and other local support for maintenance issues.</p>	<p>School Infrastructure NSW: 132 779</p>
<p>Contentious issues, including major complaints or unfavourable media attention.</p>	<p>Media unit: (02) 7814 1559</p>

Post incident procedures to be implemented

The school executive/management team will:

- undertake appropriate responses following an incident, to ensure the safety of staff, students and visitors, including contacting emergency services and implementing mandated duty to preserve incident sites, where required.
- document and maintain a workplace register of injuries (Appendix 1, 2, 3 and/or 4 as appropriate). Also refer to Legal Bulletin 39 (Appendix 6)
- communicate post-incident support services to those affected. This may include arranging student counselling services and communicating information to staff on how to access services, and/or facilitating support services on site.

Support for managing incidents

Support type	Contact
The Health and Safety directorate provides coordination of post-incident support for staff and other people impacted by an incident, including support following a workplace incident, incident review and risk management services, injury management and recovery at work processes.	1800 811 523
Employee Assistance Program (EAP) provides immediate onsite counselling support for employees and others that have been involved or affected by a work-related traumatic incident. This service is generally arranged by the Health and Safety Directorate following notification of a work-related traumatic incident to the Incident Report and Support Hotline.	Incident Report and Support Hotline on 1800 811 523 . Alternatively, workplace managers can contact one of the EAP providers to arrange this service directly via the Health and Safety Directorate intranet.
The emergency management site contains information and resources for: bushfire planning and response, emergency fact sheets, emergency support materials, emergency templates, In Case of Emergency and temporarily ceasing school operations.	https://education.nsw.gov.au/inside-the-department/health-and-safety/emergency-planning-and-incident-response/emergency-management-procedures
The Student Safety site provided a quick access to risk management policies, procedures and tools regarding student safety administration of medication, anaphylaxis, asthma, student behaviour and sun safety.	https://education.nsw.gov.au/inside-the-department/health-and-safety/risk-management/student-safety
School Security unit provides advice and support in relation to security issues in schools including arson, break- and-enter, vandalism, trespass and personal safety.	(02) 9672 2000 or 1300 880 021 (After Hours) SSUCustomerservice@det.nsw.edu.au
Department guidelines and supports when responding to student suicide.	https://education.nsw.gov.au/inside-the-department/legal-services/legal-topics/staff/duty-of-care-and-behaviour-management/responding-to-student-suicide-support-guidelines-for-schools

Appendix 1

Register of Injuries Health and Safety Directorate

Complete details of injured employee or visitor then place in the Register of Injuries folder in the front office

Family name

Given name

Date of birth

Address

Phone

Occupation

Details of accident

Type and cause of injury

Date of Injury

Part of the body injured

Time of Injury

Operation in which worker was engaged at time of injury

Industry in which worker was engaged at time of injury

FORM



Details of first aid treatment (when provided)

Name of person rendering first aid

Treatment given

Details of any referral for further treatment

Registered by

Signature

Date

Address

This form must be kept on the central register of injuries at your worksite. This register is kept with

Employee incident/injury

In addition to completion of this form, you will need to consider if the injury requires additional reporting to the Health and Safety Directorate on **1800 811 523**. Please refer to the incident reporting overview for further information.

Completed form can also be emailed using: CMSS@det.nsw.edu.au

Appendix 2

Employee incident or injury notification form

Health and Safety Directorate

Please note incidents can also be notified by contacting the hotline on 1800 811 523 (8am to 5pm)

Has the Employee:

1. Sought medical treatment? Yes ☐ No ☐ **2. Had any time off work?** Yes ☐ No ☐

NOTIFIABLE INCIDENT - If the incident meets any of the criteria below please call the Health and Safety Directorate on 1800 811 523 immediately.

Based on the information available to you, do you believe that the incident is (tick if relevant):

☐

Fatality

- The death of a person

☐

Serious injury or illness

requiring immediate treatment:

- As an in-patient in hospital
- Amputation
- Serious head or eye injury or serious burn
- Separation of skin from underlying tissue e.g. de-gloving or scalping
- Spinal injury
- Loss of bodily function
- Serious laceration

Other serious injury or illness

- Exposure to a substance which requires medical treatment within 48 hours
- Prescribed illnesses directly attributable to work with micro-organisms or involving treatment or care of a person, contact with human blood or body substance or contact with animals
- The following zoonoses contracted through contact with animals: Q fever, anthrax, leptospirosis, brucellosis, Hendra virus, avian flu or psittacosis

☐

Dangerous incident

exposing the person to a serious risk to their health or safety emanating from an immediate or imminent exposure to:

- Uncontrolled escape, spillage or leakage of a substance
- Uncontrolled implosion or explosion or fire
- Uncontrolled escape of gas steam or pressured substance
- Electric shock
- Fall from height of any plant, substance or thing

- Collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with the regulations
- Collapse or partial collapse of a structure, or excavation including shoring supporting an excavation
- An inrush of water, mud or gas in an underground excavation or tunnel
- Interruption of underground ventilation
- Other events prescribed by the regulations

FORM



Details of person reporting this incident

Name of the person completing this form

Phone

Signature

Employee no.

Occupation

Date

Name of Workplace manager / principal

Mobile

Phone

Has the Workplace manager / principal been notified of this incident?

Yes ☐ No ☐

Incident / injury illness type

Incident type

☐ Injury Illness ☐ Hazard ☐ Property damage ☐ Near miss ☐ Non conformance ☐ Environmental damage

Injury/illness type

☐ Lost time injury ☐ Medical treatment ☐ Incident only –no treatment received

First Aid Details

Was first aid administered? Yes ☐ No ☐

If yes, name of person giving first aid

Details of first aid performed

FORM



Treatment Details

Doctor

Hospital

Hospital address

Postcode

Phone

Fax

Injury / Incident Details

Who was this incident reported to?

Description of incident / hazard

(What, where, how)?

Date of injury / incident

Time

Date reported

Time reported

Type of injury

☐ Laceration / contusion / Superficial

☐ Sprains / strains

☐ Psychological injury

☐ Fractures / Dislocation

☐ Exposure to hazardous substances

☐ Other

Body part injured:

None ☐

Has the employee suffered a previous similar injury or illness?

☐ No

☐ Yes

Is this incident an aggravation or recurrence of injury?

☐ No

☐ Yes

Does the employee have any secondary employment?

☐ No

☐ Yes

FORM



Injured Worker Details

Last name

First name

Residential address

Postcode

Home phone

Work phone

Mobile

Employee no.

Date of birth

Work Location

Section / region

Occupation

Cost centre / school code

☐ Permanent full-time

☐ Permanent part-time

☐ Temporary

☐ Casual

Employed hours per week

Witness Details

Last name

First name

Residential address

Postcode

Home phone

Work phone

Mobile

Employee no.

Date of birth

Work Location

Section / region

Occupation

Cost centre / school code

☐ Employee

☐ Contractor

☐ Student

☐ Volunteer

☐ Visitor

FORM



Return To Work

Has the employee taken any time off work?

☐

No

☐

Yes

Date of ceased work

Time of ceased work

Date returned to work

or

Anticipated return date

Employee is fit for

☐

Pre-injury duties

☐

Suitable duties

☐

Normal hours

☐

Reduced hours

Office use only – Award

***Forward completed form within 24 hours to the claims & administration unit by fax on (02) 7814 3504**

***File completed form in the workplace register of injuries**

Completed form can also be emailed using: CMSS@det.nsw.edu.au

Non-employee incident or injury notification form

Health and Safety Directorate



Details of workplace completing the form

Work Location

Work address

Home phone

Mobile

Work phone

Cost centre / school code

Name of Workplace manager

NOTIFIABLE INCIDENT - If the incident meets any of the criteria below please call the Health and Safety Directorate on 1800 811 523 immediately.

Based on the information available to you, do you believe that the incident is (tick if relevant):

☐ **Fatality**

- The death of a person

☐ **Serious injury or illness**

Requiring immediate treatment:

- As an in-patient in hospital
- Amputation
- Serious head or eye injury or serious burn
- Separation of skin from underlying tissue e.g. de-gloving or scalping
- Spinal injury
- Loss of bodily function
- Serious laceration

Other serious injury or illness

- Exposure to a substance which requires medical treatment within 48 hours
- Prescribed illnesses directly attributable to work with micro-organisms or involving treatment or care of a person, contact with human blood or body substance or contact with animals
- The following zoonoses contracted through contact with animals: Q fever, anthrax, leptospirosis, brucellosis, Hendra virus, avian flu or psittacosis

FORM



Based on the information available to you, do you believe that the incident is (tick if relevant):



Dangerous incident

Exposing the person to a serious risk to their health or safety emanating from an immediate or imminent exposure to:

- Uncontrolled escape, spillage or leakage of a substance
- Uncontrolled implosion or explosion or fire
- Uncontrolled escape of gas steam or pressured substance
- Electric shock
- Fall from height of any plant, substance or thing
- Collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with the regulations
- Collapse or partial collapse of a structure, or excavation including shoring supporting an excavation
- An inrush of water, mud or gas in an underground excavation or tunnel
- Interruption of underground ventilation
- Other events prescribed by the regulations

Details of injured person (if applicable)

Last name

First name

Residential address (if known)

Postcode (if known)

Date of birth (if known)

☐ A student

☐ A visitor to the workplace

☐ A contractor

☐ Other please specify

Incident details

Address where the incident occurred

Date of injury / incident

Description of how the incident happened:

Description of injury (if applicable)

FORM



Details of workplace manager or delegate completing this report

Name of workplace manager or delegate completing this form:

Position:

Phone number:

Mobile (where applicable)

Signature:

Date

For incidents arising from an identifiable hazard, please forward this report immediately or as soon as reasonably practicable but at worst within 24 hours, to Health and Safety Directorate on fax number (02) 7814 3504.
For all other incidents, please maintain a copy in local records.

Completed form can also be emailed using: CMSS@det.nsw.edu.au

Appendix 4

Incident investigation form Health and Safety Directorate

Particulars of person(s) involved:

Incident report number:

Name and contact details of other parties involved or witness to the incident:

DETAILS OF INCIDENT (ESTABLISH THE FACTS AND, WHERE APPLICABLE, TAKE PHOTOGRAPHS AND DRAW A DIAGRAM OF THE INCIDENT SCENE)

SECTION 1 – DETAIL OF THE SITUATION

What was the exact location and time of the incident?

What was damaged / who was harmed and what was disrupted?

What task was the person performing when the incident occurred?

What had the person been instructed to do?

Describe the conditions of the work area where the incident occurred

What were the activities leading up to the incident?

On the incident date, how long had the person been performing the task?

What supervision was provided to the person doing the tasks?

SECTION 2 – TRAINING AND COMPETENCY

What training had the person received for the task?

Incident investigation form



What extra training should the person receive?

What training had the supervisor received?

SECTION 3 – EXISTING WHS PROCEDURES

Was this a known risk which had been assessed?

If yes, what risk controls had been recommended?

If not, give reasons

Were the controls used?

What written safety / operating procedures were available for the task?

What policies and procedures are relevant to this situation?

SECTION 4 – CONTRIBUTING FACTORS TO THE INCIDENT

What was the sequence of events that led up to the accident or incident? Try and work backwards from the FINAL EVENT to identify the contributing factors to this incident, which will help identify recommendations for preventative action required.

Sequence No. 1

Sequence No. 2

Sequence No. 3

Sequence No. 4

Sequence No. 5

CORRECTIVE ACTION PLAN – IMMEDIATE CORRECTIVE ACTION SPECIFIC TO THIS INCIDENT

ACTION	RESPONSIBILITY FOR ACTION	DATE TO BE COMPLETED	DATE COMPLETED
WHS Management responsibilities			

Incident investigation form



Consultation / Communication			
Corrective action			
Policies / procedures			

A risk assessment is required after any incident, and can be documented on the risk management proforma, which provides a structured approach for further analysis and implementation of controls.

Completed form can also be emailed using: CMSS@det.nsw.edu.au



EMERGENCY ALERT

EVACUATION

1. **ALERT SIREN** IS SOUNDED
2. FOLLOWED BY ANNOUNCEMENT
"EMERGENCY—EVACUATE NOW"

LOCKDOWN

1. **ALERT SIREN** IS SOUNDED
2. FOLLOWED BY ANNOUNCEMENT **"THIS IS A LOCKDOWN. PLEASE RETURN TO YOUR SAFE ZONE."**

LOCKOUT

1. ANNOUNCEMENT **"YOUR ATTENTION PLEASE. LOCKOUT. LOCKOUT. SECURE BUILDING. INFORMATION TO FOLLOW"**

ALL CLEAR

AN **"ALL CLEAR"** announcement will be made
"YOUR ATTENTION PLEASE. ALL CLEAR. ALL CLEAR. ALL CLEAR. THANK YOU"

Appendix 5:

Bulletin 39 - Preparation and use of accident reports in school

Some accidents that occur on school or during department endorsed activities will result in claims for compensation for personal injury or damage to property. These claims fall into two categories - those involving formal legal proceedings (litigated claims) and those where legal proceedings have not been commenced (unlitigated claims). The following procedures apply to the handling of both types of claims.

The procedures do not apply to accidents involving members of staff. Principals should continue to comply with relevant procedures relating to workers compensation claims for accidents involving staff.

Preparing an accident report

Except in the case of trivial accidents, a report must be prepared for any accident that occurs on departmental premises or during departmental activities. This requirement applies to accidents that occur both during and outside normal school hours. A common-sense approach should be taken to determine whether an accident is trivial and when if it occurs away from the school premises, whether it has sufficient nexus to the school.

An accident report should generally be prepared when any of the following events occur:

- a serious incident report is prepared about an incident that has resulted in death, injury or hospitalisation
- an injury to the head or where a person loses consciousness
- a person sustains an injury to the eyes or where teeth are broken or dislodged
- a person sustains an injury as the result of an assault or alleged assault
- a person sustains broken bones or cuts requiring stitches
- it is necessary to transport an injured person to hospital
- an ambulance, doctor or other medical assistance is required on site or such treatment is reported by the student, parent or visitor at a later date
- a student has to leave school or the college early as a consequence of an accident
- a parent, caregiver or responsible person is summoned to the school or college as a consequence of an accident
- parents or caregivers are advised to take a student to a doctor for precautionary reasons
- an accident occurs during the use of a school by a community group or
- the principal considers it appropriate to do so.

Purpose of an accident report

Accident reports are prepared for the purpose of considering and, if necessary, defending the department's legal position if a claim for compensation is made. The reports are also

used to notify the NSW Treasury Managed Fund when claims are made or anticipated to be made against the department. Accident reports prepared by principals may attract the protection of legal professional privilege.

Documentation to be included in accident reports

When preparing accident reports, principals must ensure that relevant documentation is included. Depending on the circumstances of the accident, relevant documentation should include any or all of the following:

- statements from witnesses, including the person injured if practicable
- details of supervision arrangements in place at the time of the accident
- staff supervision rosters
- first aid register or its equivalent
- photographs of the scene
- sketch plans of the site indicating the location of the accident and of relevant people such as supervising staff at the time of the accident
- a copy of any information provided to parents regarding the activity, including any signed permission notes received from parents
- school welfare and/or discipline policies (where appropriate)
- details of previous accidents of a similar nature.

In order to minimise potential conflict of interest allegations, the collation of accident reports should as far as possible be undertaken by a member of staff who has not been directly involved in the incident (eg as a witness, rendering assistance).

Accident reports play an important role in the department's defence of claims arising from accidents. Principals must ensure that all relevant documentation is collated as soon as possible after an accident occurs - preferably on the same day - and is securely retained. In accordance with the department's policy on records management, school accident reports should be retained for 7 years or until the injured person attains the age of 25 years, whichever is the longer. Statements obtained from witnesses to accidents are subject to the provisions of the Privacy and Personal Information Protection Act 1998. Action needs to be taken to ensure that persons making statements are aware the statements may be used by the department in the assessment of claims or the defence of legal proceedings.

Should parents or carers be notified?

Principals must ensure that parents or caregivers are notified of any injury incurred by a school student under the age of 18. The notification should be made as soon as possible after the accident occurs. Notification to parents or caregivers, either by telephone or in writing, should include the following:

- confirmation that the student was involved in an accident together with a description of the nature of the accident
- details of any injuries sustained by the student
- details of any action taken following the accident eg first aid, calling of a doctor or ambulance.

Admitting liability for the accident

Under no circumstances should liability for the accident be admitted nor any opinions as to responsibility for the accident expressed. Any request from parents, caregivers or persons acting on their behalf for a copy of the accident report and accompanying documentation

should be refused. A person who has made a statement as part of the accident report is however entitled to a copy of his or her own statement upon request.

Are students covered by insurance during school activities?

The department relies on the coverage by NSW Treasury Managed Fund to meet any liabilities arising from its activities. The cover provided is based on the claimant being able to establish negligence on the part of the department. The department does not automatically cover students injured during school activities and so in this way, the cover differs from the usual concept of insurance.

Is an apology an admission of liability?

Legally, an apology does not constitute an admission of liability and cannot be used in any legal proceedings as a means of establishing liability. Often, an apology will be of significant value in maintaining an appropriately caring educational environment and comforting aggrieved persons.

The wording of an apology will be dependent on the individual circumstances of the particular accident. As a guide, any apology offered should include the following elements:

- an outline of the accident for which the apology is being given
- an acknowledgement that the person has suffered some form of injury
- an expression of sorrow, sympathy or regret for the accident and any injuries occasioned.

Litigated claims

Legal proceedings arising from accidents on department premises or during department activities are normally taken against the State of New South Wales. Usually, the statement of claim will be served on the Crown Solicitor's Office (school matters). Occasionally the proceedings may name an individual school as the defendant and be served at the relevant school.

If a statement of claim commencing legal proceedings is served at a school, the principal should immediately forward a copy to Legal Services. A copy of any accident report and supporting documentation should also be included.

Unlitigated claims of less than \$300

In accordance with Treasury Managed Fund requirements, principals are responsible for assessing and, where appropriate, paying claims which are less than \$300. Upon receipt of such claims, principals should examine the relevant information to determine if there has been any action or omission by staff that has led to the accident occurring. If it is considered that the accident has occurred as a result of such actions or omissions, the claim should be paid. Under no circumstances should liability for the accident be admitted nor any opinions as to responsibility for the accident be expressed.

Principals should contact the Legal Services if they are unsure of whether to pay any claim under \$300 or need other assistance.

Unlitigated claims of over \$300

Upon receipt of such claims, including letters from parents or legal representatives alleging negligence, principals should immediately forward a copy of the claim, together with any

relevant accident report, and supporting documentation including receipts for any medical treatment received to Legal Services. Claimants should be advised that the claim will be forwarded to Legal Services which will confirm receipt in the near future. Claimants must not be told that the claim will be met.

Required action once claims are forwarded to Legal Services

The legal work associated with personal injury claims over \$300 against the department is undertaken by a panel of legal service providers

When claims, both litigated and unlitigated, are received by Legal Services, a letter will be sent to the school and claimant acknowledging receipt. Contact details of the relevant panel solicitor who has been allocated the matter will also be provided.

It may be necessary for the panel solicitors or their agents to contact the school to obtain or clarify information concerning the circumstances of an accident. This may involve seeking documentation or speaking to relevant staff. Subject to suitable arrangements being made, every assistance should be provided to the solicitors or their agents acting on behalf of the department.

Should principals have any inquiries regarding matters that have been allocated to a particular panel solicitor, they should speak to the relevant contact person. Any problem, complaint or other comments arising from the allocation of a claim to one of the panel solicitors can be directed to the Legal Services.

Is it necessary for staff to be involved in accident claims?

Staff in schools who witness accidents will generally be involved in accident claim matters in some or all of the following ways:

- providing an informal written statement to the principal at the time of the accident
- speaking with the solicitors, investigators or agents acting on behalf of the department in the defence of any claim
- providing a formal written statement to the department's legal representatives for use in the defence of any legal proceedings
- attending conferences with any barristers briefed to appear on behalf of the department in any legal proceedings
- giving evidence in court.

It should be noted that only a small percentage of litigated claims proceed to a court hearing. While nervousness about giving evidence is natural, staff are not on trial nor is the school. Any decision to settle a case should not necessarily be interpreted as an admission of fault or as reflecting on the professional competence of relevant staff.

Should staff have any concerns about their involvement in legal proceedings relating to an accident claim, they can speak to the contact person of the relevant panel solicitor or staff at Legal Services.