

Contribute to workplace incident response

BSBWHS416

By the end of this topic, you should be able to:

- Prepare to assist with actions and activities associated with incident response
- Assist with implementing response procedures during incident
- Contribute to collecting WHS information about incident
- Assist with incident investigation
- Contribute to developing and implementing recommended measures and actions arising from incident investigation

- There are four general stages to the process of responding to incidents:
 - Stage 1: Pre-incident
 - Stage 2: Incident
 - Stage 3: Investigation
 - Stage 4: Post-investigation

- WHS regulators categorise incidents according to their severity.
As a general guide:

Category A Incidents <i>Fatalities, serious matters and serious matters of public concern</i>	Category B Incidents <i>Breaches of legislation</i>	Category C <i>Compliance investigations</i>
- Risk of fatality - Serious injury - Serious incident placing a number of people at risk	Serious breaches of WHS legislation	Possible breaches of legislation
Response: - Immediate action - Possible formal investigation by regulator	Response: - Prioritised on case by case basis - Generally do not involve regulator	Response: - Prioritised on case by case basis - Generally do not involve regulator

- WHS is the responsibility of the states and territories
 - In Queensland, the relevant legislation for WHS is the *Work Health and Safety Act 2011*
 - This Act is supported by other WHS related documentation, including (in order of legal enforceability [highest to lowest]):

<u><i>Work Health and Safety Act 2011 (Qld)</i></u>
<u><i>Work Health and Safety Regulation 2011 (Qld)</i></u>
<u><i>Codes of Practice</i></u>
<u><i>Australian Standards</i></u>
<u><i>Guidance publications</i></u> from the WHS regulator
Policies and procedures regarding processes and systems that apply to your particular workplace

- There are a range of documents that you are required to comply with. Externally, there are:

Document	Summary
Act	The <i>Work Health and Safety Act 2011</i> (Qld) places duties on various individuals and parties within the workplace.
Regulation	The <i>Work Health and Safety Regulation 2011</i> (Qld) provides more specific detail about the requirements of the Act.
Codes of practice	These provide a guide for commonly accepted practice within particular industries. For example, the <u>First Aid in the Workplace Code of practice from Safe Work Australia</u>
Standards	These set out specifications and procedures to ensure that products, services and systems are safe, reliable and consistently perform as intended. They are based on sound industrial, scientific and consumer experience.
Guidance notes	These can include notes and alerts issued by the WHS regulator. Other guidance material can be provided to explain the legislative requirements.

- The legislation mandates duties for various individuals and parties.

Duty holder	Duty
PCBUs	• Section 19 of the <i>Work Health and Safety Act 2011</i> (Qld) provides that in holding the primary duty of care the PCBU should ensure, so far as is reasonably practicable, the health and safety of workers affected by the business or undertaking. • This would extend to responding to incidents (e.g. providing first aid and responding to emergencies), investigations and implementation of risk control measures.
Workers	• Section 28 of the <i>Work Health and Safety Act 2011</i> (Qld) provides that workers: • Comply, so far as they are reasonably able, with any reasonable instruction given by the PCBU to allow the PCBU to comply with WHS laws, and • Cooperate with any reasonable policy or procedure of the PCBU relating to health or safety at the workplace that has been notified to workers (e.g. implement risk controls as specified by the PCBU). • This would extend to responding to incidents (e.g. providing first aid and responding to emergencies), investigations and implementation of risk control measures.

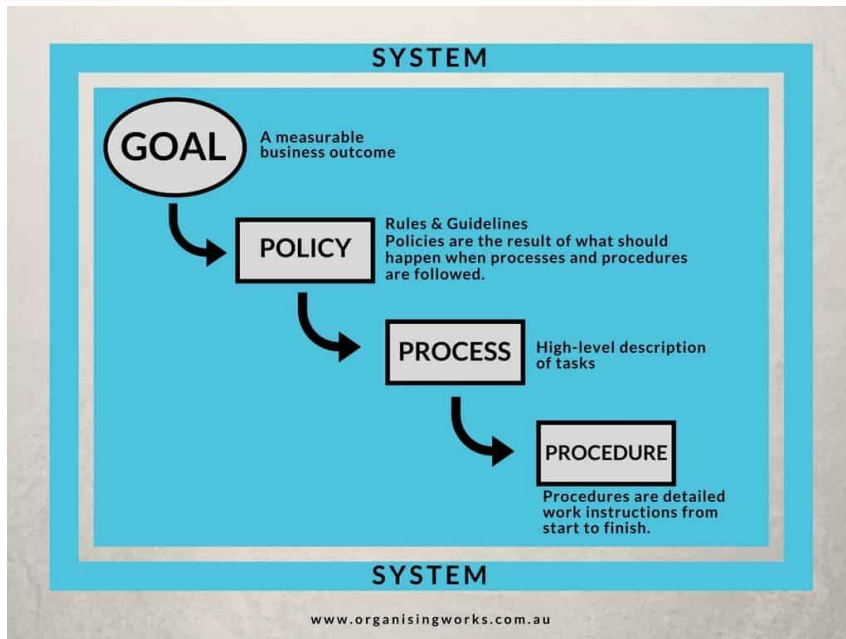
- The *Work Health and Safety Act 2011* (Qld) also outlines requirements regarding incident notification:

Section(s)	Outline
35-37	• Identifies and explains incidents that require notification: • Death of a person • Serious injury or illness of a person • Dangerous incident
36	• Duty on PCBU to notify regulator of notifiable incidents
39	• Duty on those who manage or control a workplace to preserve sites where incidents occur

- There are a range of documents that you are required to comply with. Internally, there are:

Document	Summary
Policies	These are general documents that describe organisational aims regarding incidents.
Processes	These support workplace policies and provide more specific detail as to how the organisation intends to manage incidents. They are a more detailed overview of the tasks to be undertaken to manage incidents.
Procedures	These support workplace policies and processes, providing even more specific detail as to how the organisation intends to manage incidents (i.e. the steps required to complete the process).
Systems	These encompass a range of processes and documents and determine how work is to be performed in the organisation, including the interconnection of processes.

- For an effective working **system**, all three of the following elements are key:
 - Policy:** Contains the rules, beliefs and guidelines of a company, and it drives processes and procedures
 - Process:** A high-level view of how things or outcomes get done
 - Procedures:** Contain the detailed steps of the actions that are needed to complete the process and comply with the policy



- As part of your role as a WHS practitioner, you may be required to:
 - Fulfil a role, as designated under the policies, procedures, processes and systems. This may include:
 - Implementing initial incident response procedures (e.g. first aid, evacuation, fire extinguishing)
 - Internally notifying others of an incident (depending on the nature and severity of the incident)
 - Researching, collecting and reviewing information and data for incident investigations
 - Assisting investigations
 - Fulfil a role, as designated under legislation
 - For example, notification of incidents and preservation of the incident site
 - Communicating with others (e.g. informing others of duties or outcomes from investigations)
 - Relevant parties include management, workers, HSCs, HSRs, inspectors, regulators
 - This may require you to providing training sessions, hold meetings or develop instructions
 - Implementing recommended measures and actions arising from investigations

- The key things to be collected about incidents include:
 - When it happened
 - What happened
 - Including factors that contributed to the occurrence and severity of the incident
 - Where it happened
 - Who was involved
 - Including details of the PCBU and the notifier
 - What plant, equipment and materials were involved (and how)
 - Witness details
 - What has been done in response to the incident

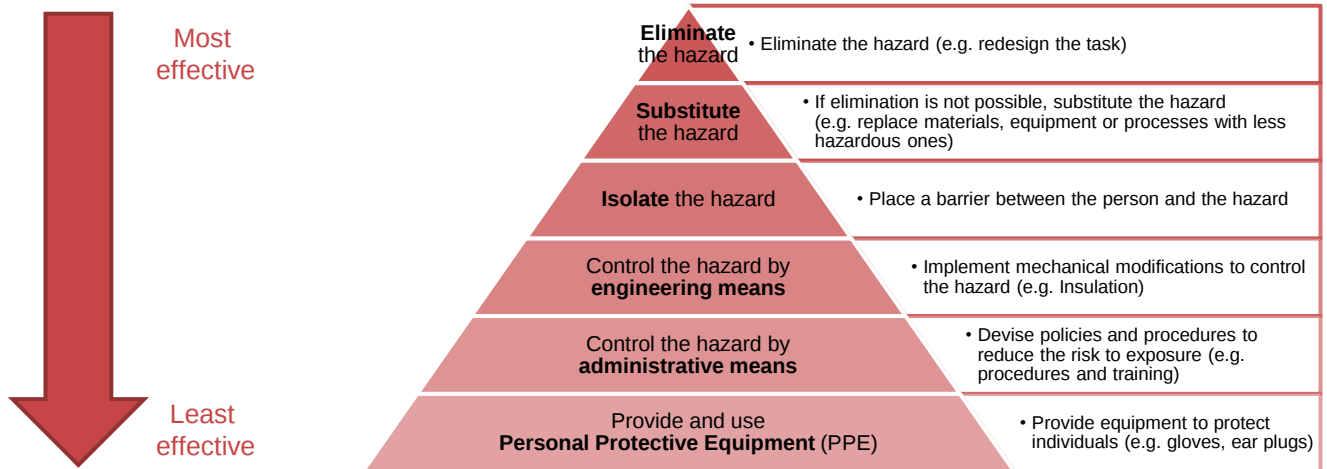
- You may be required to be involved in the following ways:
 - **Assisting with investigations through:**
 - Inspections
 - Collecting evidence from the incident scene
 - Interviews
 - Engaging investigators
 - **Preparation of an initial incident report**
 - **Collecting additional information related to an incident, such as:**
 - Workplace records (e.g. risk assessments, risk control measures, maintenance records, training records)
 - Statistics about particular types of incidents

- Under the legislation, WHS inspectors have powers to:
 - Enter workplaces to investigate incidents
 - Investigate WHS issues and risks
 - Enquire about suspected breaches of the legislation
 - Issue notices to cease work activities that pose a serious risk to WHS
- Apart from the WHS regulator, other investigators include internal and external WHS specialists/consultants.

- You may be required to assist an investigator by:
 - Providing investigators with relevant information
 - Examining relevant information and data
 - Reviewing reports on incidents, injuries and illnesses to look for patterns
 - Contacting responsible persons and relevant authorities when required
 - This may include PCBU's, legal advisors, police, medical practitioners, building or traffic inspectors, insurance agencies or government agencies
 - You should keep a record of all communications to assist investigations
 - For example: Emails, Incident/Accident registers, Incident Report forms, Minutes from HSR/HSC meetings

- It is important to report the results of an investigation to assist in avoiding future incidents.
- Such reports generally include recommendations to be implemented.

- The hierarchy of control gives priority to the order in which risk controls should be implemented to avoid future incidents.



- When selecting risk controls to be implemented, a number of factors need to be considered:
 - Standard Operating Procedures and Codes of Practice, which outline generally accepted workplace practices
 - How the changes will affect current work processes and organisational culture
 - People are an important factor – their ability to embrace and implement change has a big impact
 - Whether the changes potentially introduce new hazards and risks

- You may be required to assist with the implementation of measures. For example, you may be involved in:
 - Risk assessment of corrective actions
 - Review of work procedures
 - Recommending changes to work procedures
 - Informing others of new work procedures
 - Maintaining and evaluating the effectiveness of new procedures