

WHAT HAPPENS IN A SAFE WORK INVESTIGATION?



This document will provide a basic understanding of **what happens if you have a notifiable incident that results in a safe work investigation.**

1. THE INCIDENT OCCURS

01

You provide immediate First Aid if required and ensure the scene is not able to cause further injury.

02

You or an authority (Police, Hospital) report the incident.

03

Safe Work contact the business and advise when they will be attending the site.

04

They will instruct you as to whether you can use, change, repair the site in any way.

2. ATTENDANCE AT THE SCENE BY AUTHORITIES

The regulators will visit the scene and assess the incident. They are likely to:

- conduct interviews with any person who was present or who may know about the incident/workplace
- take photographs
- ask to see appropriate documentation such as inductions, maintenance records, training records, safe work procedures and policies as well as any other evidence that demonstrates the business has an active attitude to safety in the workplace
- Any associated Contractor and Partners will be contacted related to the investigation.

3. ONGOING ACTION

01

The regulator is likely to issue a Corrective Action which can be either or both:

- Improvement Notices
- Prohibition Notices

02

The business will be given a specific timeline to comply with the notices to avoid further action and/or fines.

03

The regulator is likely to revisit the workplace prior to the end of the time line to re-inspect and insure the Improvement or Prohibition Notices are correctly rectified.

04

The regulator may advise that the matter is being recommended for prosecution. If this is the case the process is likely to be on going for 2-5 years.

05

You are also likely to be completing insurance documentation.

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WHAT ARE THE INSPECTORS POWERS?

- Power to enter the business property, inspect, seize, photograph, require sample, production of documents and require people to answer questions
- Power to issue notices – Improvement/Prohibition
- Power to recommend that a business is Prosecuted.

WHAT IS THE LIABILITY OF AN OFFICER (PCBU)?

The Officer is guilty of an offence if the business contravenes a provision of the WHS Act and the breach is attributed to the officer failing to take reasonable care in regards to:

- Your knowledge about the matter
- Your role in the decision making
- Role of others in the contravention
- Any other relevant matters.

WHAT SHOULD YOU UPDATE WITH YOUR SAFETY SYSTEM?

- Create tasks within the task manager to remedy each of the causes identified in the time line section.
- Revise workplace policies if necessary and re-distribute to all workers.
- Review worker training records for all workers involved in the incident.
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- Update health records for workers affected by the incident.
- Communicate with workers and ask for input for revision to workplace procedures.
- Revise maintenance frequency for all tools, machinery or structures involved in the incident.
- Properly repair any machinery, tools, equipment or structures that were involved in the incident or remove them from service and replace.
- Review the safety checklists for any machinery, tools, equipment or structures and update where required.
- Review any no go/exclusion zones for any workers or equipment and update safety instructions where required.
- Review and update where required.