



INCIDENT / INJURY / HAZARD REPORTING PROCEDURE

Physio by Design understands that the health and safety of its employees and customers is a priority and that if incidents, injuries, hazards and near misses do occur, they should be reported. Incidents should be investigated to ensure that the possibility of recurrence or further risk is minimised.

This policy applies to all employees, volunteers, contractors, customers and visitors of Physio by Design

Purpose

The objectives of this procedure are to ensure, as far as reasonably practicable, that:

- All hazards, near misses and injuries involving Physio by Design customers, staff, volunteers, contractors, visitors or other persons or property for which Physio by Design has a legislative responsibility, are reported, investigated and preventative actions recommended and implemented;
- All staff, customers, visitors, volunteers and contractors of Physio by Design are aware of their health and safety responsibilities with regard to hazard and incident reporting, recording and investigation; and
- All relevant information that can be used to identify and control hazards is collected and used to prevent future incidents.

Background

Incident reporting, investigation and recording are essential in order to achieve a healthy and safe workplace for all staff, customers, contractors, volunteers and visitors to Physio by Design.

A comprehensive incident reporting, investigation and recording system is fundamental to ensure that adequate preventive action is taken following an incident. Hazard and incident data is also necessary to assist in decision-making processes regarding the allocation of resources for prevention programs.

At Physio by Design, a culture of proactive reporting and investigation of incidents is encouraged, with an emphasis on learning to prevent future incidents. The following describes how Physio by Design reports, investigates and records all incidents occurring at Physio by Design locations or to Physio by Design staff and customers.

Please note that identified hazards and risks need to be referred to the Hazard and Risk Management Policy, Hazard and Risk Management Procedure and Risk Assessment Form.

Definitions

Affected Person means any person who has identified a hazard, has been subjected to a 'near miss' and/or has been injured through a work-related incident.

Employee, for the purposes of this policy means all staff, volunteers and contractors as defined below:

- Staff: any person who has a current employment contract with Physio by Design
- Contractor: any person paid for providing services for Physio by Design that is not under a current employment contract
- Customer: any person for whom Physio by Design services are currently being provided, in the studio or in customer homes.

Hazard means any situation with the potential to cause injury or illness, danger to health and/or damage to property, the environment or equipment.

Hierarchy of Control is an established, five-step scale in which the certainty and effectiveness of risk control progressively declines.

Immediate Supervisor means the Supervisor to which the staff member or contractor directly reports.

Incident means an identified hazard, a near miss or an unplanned event that could potentially or has already led to injury to persons or damage to property, equipment or the environment (includes needle stick injury, broken washing machine/kettle/clothes dryer, water not draining properly, as well as losses of containment, fire, explosion, non-compliance with environmental regulatory requirements, vehicle incidents and off-site incidents etc).

Incident Investigation is a systematic approach that seeks to identify the contributing factors to the incident and to recommend remedial action to reduce the likelihood of a similar occurrence. An initial investigation is conducted for all incidents and an in-depth investigation is conducted for those incidents that are more complex or of higher risk.

Injury means any physical or mental injury and, without limiting the generality of that definition, includes--

- industrial deafness;
- a disease contracted by a worker in the course of the worker's employment (whether at, or away from, the place of employment); and
- a recurrence, aggravation, acceleration, exacerbation or deterioration of any pre-existing injury or disease.

Near Miss means an incident that results in no damage or injury, but had the potential to cause damage or injury, including incidents that may be Notifiable Dangerous Occurrences.

Notifiable/Reportable Incident means an incident that has occurred or is alleged to have occurred and is to be immediately reported to the Managing Director and the Commissioner (within 24 hours) because it results in:

- The death of any person (with or without disability); or
- Serious injury of a person (with or without disability); or
- Abuse or neglect of a person (with or without disability); or
- Unlawful sexual or physical contact with, or assault of, a person (with or without disability); or
- Sexual misconduct committed against, or in the presence of, a person (with or without disability), including grooming of the person for sexual activity; or
- The use of a restrictive practice in relation to a person (with or without disability), other than where the use is in accordance with an authorisation (however described) of a State or Territory in relation to the person.
- A person requiring medical treatment within 48 hours of exposure to a substance;
- A person requiring immediate treatment in a hospital as an in-patient; 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; or
 - electric shock; or
 - a spinal injury; or
 - the loss of a bodily function; or
 - serious lacerations
- An act that occurs in relation to a person with disability is not a **reportable incident** if
 - (a) the act is unlawful physical contact with a person with disability; and
 - (b) the contact with, and impact on, the person with disability is negligible.
- Despite the above, the use of a restrictive practice in relation to a person with disability where the use is in accordance with an authorisation (however described) of a State or Territory is a **reportable incident** if the use is not in accordance with a behaviour support plan for the person with disability.
- Despite the above, the use of a restrictive practice in relation to a person with disability where the use is not in accordance with an authorisation (however described) of a State or Territory is not a **reportable incident** if:
 - (a) the use is in accordance with a behaviour support plan for the person with disability; and
 - (b) the State or Territory in which the restrictive practice is used does not have authorisation process in relation to the use of the restrictive practice.

Notifiable Dangerous Occurrence means an incident at a workplace that exposes a person in the immediate vicinity of the incident to an immediate risk to the person's health and/or safety through:

- the collapse or partial collapse of any part of a building or structure; or

- an implosion, explosion or fire; or
- the escape, spillage or leakage of any substance including dangerous goods as defined in the Dangerous Goods Safety Management Act 2001 or
- the fall or release from a height of any plant, substance or object.

Risk means the likelihood or chance that a hazard, an event or a situation will cause injury, illness or damage. The risk rating can be rated as low, medium, major or high.

Serious Injury means an injury that result in a notifiable incident.

Workplace means any place, whether or not in a building or structure, where employees or self-employed persons work. This includes places for community access.

Reporting Procedure

Incident Reporting

- All incidents, injuries or hazards which occur at a Physio by Design workplace must be reported using a Physio by Design Incident Investigation Form or Hazard Report Form.
- All injuries must be promptly reported to the employee's Immediate Supervisor and to the Managing Director as soon as possible after the incident (preferably within 48 hours).
- The administration officer must report all incidents that are reportable incidents to the commissioner.
- Physio by Design will ensure you are appropriately involved in the resolution of the incident; and are kept informed of the progress, including any action taken, the reasons for any decisions made and options for review of decisions in relation to the incident. If Physio by Design decides a complaint needs to be submitted to the NDIS commissioner The Managing Director (Fabian Tjin) will do so and notify the relevant parties.
- Physio by Design will provide support to those who need assistance (with or without disability) that are affected by an incident, to ensure their health, safety and well being. This will be in the form of one of our staff members to help with information on obtaining an independent advocate, filling in any forms needed, phone numbers or web addresses to contact.
- Physio by Design will decide when an investigation by is required to establish the causes of a particular incident, its effect and any operational issues that may have contributed to the incident occurring, and the nature of that investigation.
- Physio by Design will decide when corrective action is required and the nature of that action.
- The forms must be used in the following situations: (procedures may vary depending on the seriousness of the incident)
 - o identification of a hazard to employees, customers and/or visitors;
 - o reporting any injuries (physical or psychological) that an employee, customer or visitor has sustained;
 - o reporting the administration of First Aid;

- o reporting any incident that was a near miss (no damage or injury); and
- o reporting any hazard or damage to equipment or to the environment.
- o reporting any incident that occurs in connection with providing supports or services to a person with disability and have, or could have, caused harm to the person with disability
- o reporting any incident that consists of acts by a person with a disability that occur in connection with providing supports or services to the person with disability and have caused serious harm, or a risk of serious harm, to another person.
- o reporting any incidents that are alleged to have occurred in regards to providing supports or services to a person with or without disability
- Wherever possible, the Incident Investigation Report Form or Hazard Report Forms should be completed by the affected person, in conjunction with their Immediate Supervisor. If the affected person is unable to complete the form, the Immediate Supervisor should complete it for them or assist them to complete it.
- If the affected person is a client or NDIS client and needs assistance, the administration officer will provide support either verbally or assisting with and how to fill out forms.
- Witnesses to the incident must provide their name and contact details on the form
- The Immediate Supervisor of the affected person must complete and sign the relevant section of the form and submit a copy to the Managing Director.

Notifiable Incident Reporting

- Contact the Managing Director immediately upon becoming aware of the notifiable incident, preferably via telephone or in person, followed by submission of an Incident Report Form via email (within 24 hours).

Work Place Health and Safety Queensland

- Physio by Design has a legal obligation to report a notifiable workplace incident to Workplace Health and Safety Queensland. Physio by Design must notify Workplace Health and Safety Queensland immediately upon becoming aware of a notifiable incident *as fits the definition above* that results in death or serious injury by phoning 1300 369 915.
- Within 24 hours of becoming aware of the death or serious injury, Physio by Design will provide a written record of the notifiable incident to Workplace Health and Safety Queensland, using the Queensland Government Incident Notification (Information) Form;
 - o Where a notifiable incident has occurred, employees, supervisors/managers, customers and visitors will ensure the site of the incident is not disturbed until advised it is okay to do so by a Workplace Health and Safety Queensland inspector.

- **NDIS Commission**

- Physio by Design has a legal obligation to report a notifiable workplace incident to the Commissioner for NDIS. Physio by Design must notify the NDIS commissioner immediately upon becoming aware of a notifiable incident *as fits the definition above* that results in death or serious injury via the NDIS commission portal - [My reportable incidents portal](#).
- Within 24 hours of becoming aware of the death or serious injury of a disabled person, Physio by Design will lodge a notification via the NDIS commission portal. This will include the Name and contact details of Physio by Design, a description of the reportable incident, a description of the impact on, or harm caused to the person with disability. It will also include the immediate actions taken in response to the reportable incident, including actions taken to ensure the health, safety and wellbeing of persons with disability affected by the incident and whether the incident has been reported to police or any other body;
 - the name and contact details of the person making the notification;
 - if known—the time, date and place at which the reportable incident occurred;
 - the names and contact details of the persons involved in the reportable incident;
 - any other information required by the Commissioner.
 - if insufficient information is available within 24hours Physio by Design will provide the Commissioner within 24 hours with;
 - (a) the name and contact details of the registered NDIS provider;
 - (b) a description of the reportable incident;
 - (c) a description of the impact on, or harm caused to, the person with disability;
 - (d) the immediate actions taken in response to the reportable incident, including actions taken to ensure the health, safety and wellbeing of persons with disability affected by the incident and whether the incident has been reported to police or any other body;
 - (e) the name and contact details of the person making the notification;
 the remaining information must be provided within 5 business days.
- In addition to this Physio by Design will notify the commissioner of the following information within 5 business days after the provider became aware that the incident occurred:
 - the names and contact details of any witnesses to the reportable incident;
 - any further actions proposed to be taken in response to the reportable incident.
- Information given to the commissioner within 24 hours can be via phone or in writing. Any notification/information supplied to the commissioner after this time must be in writing.
- If a notification is given in writing, the Commissioner must acknowledge its receipt within 24 hours.
- The Commissioner must approve a form for the purposes of giving notifications in writing under this section.
- If an incident is deemed by the managing director as reportable but does not fit the definition of notifiable / reportable incident in this document Physio by Design will notify

the Commissioner within 5 business days of becoming aware of the incident. This notification will be in writing and will include;

- the name and contact details of Physio by Design;
 - a description of the reportable incident, including the impact on, or harm caused to, the person with disability;
 - if known—the time, date and place at which the reportable incident occurred;
 - the names and contact details of the persons involved in the reportable incident;
 - the names and contact details of any witnesses to the reportable incident;
 - the immediate actions taken in response to the reportable incident, including actions taken to ensure the health, safety and wellbeing of persons with disability affected by the incident and whether the incident has been reported to police or any other body;
 - any further actions proposed to be taken in response to the reportable incident;
 - the name and contact details of the person making the notification;
 - any other information required by the Commissioner.
- Under certain circumstances certain information relating to reportable incidents need not be obtained or notified to the commissioner if obtaining the information would, or could be reasonably expected to prejudice the conduct of a criminal investigation or expose a person with disability to risk of harm. These items are;
 - a description of the reportable incident, including the impact on, or harm caused to, the person with disability
 - description of the impact on, or harm caused to, the person with disability
 - if known—the time, date and place at which the reportable incident occurred
 - the names and contact details of the persons involved in the reportable incident
 - the names and contact details of any witnesses to the reportable incident
- **Updating the Commissioner**
 - If a notification of a reportable incident has been lodged with the commissioner and at any time Physio by Design becomes aware of significant new information in relation to the incident and the information relates to a change in the kind of reportable incident or is further to a reportable incident the commissioner must be notified as soon as reasonably practicable after becoming aware of the information. Notification must be in writing.
 - If a notification of a reportable incident has been lodged with the commissioner - within 60 business days the commissioner may request the following information;
 - details of any internal or external investigation or assessment that has been undertaken in relation to the incident, including:
 - (i) the name and position of the person who undertook the investigation; and
 - (ii) when the investigation was undertaken; and
 - (iii) details of any findings made; and
 - (iv) details of any corrective or other action taken after the investigation;
 - a copy of any report of the investigation or assessment;

- whether persons with disability affected by the incident (or their representative) have been kept informed of the progress, findings and actions relating to the investigation or assessment;
- any other information required by the Commissioner. The information must be given in writing and the Commissioner must approve a form for the purposes of giving information under this section.

Incident Investigation

- When an incident has been reported, the immediate supervisor and investigation team must complete an initial investigation in conjunction with the affected person.
- If the initial investigation determines the risk to be minor, recommendations may be recorded on the incident report form.
- If the risk is determined to be medium or above as a result of the initial investigation, the affected person's immediate supervisor must arrange and participate in an in-depth investigation within 48 hours (as far as practicable), using the Investigation Report Form.
- The purpose of incident investigation is to prevent further injuries or damage, not to apportion blame.
- The immediate supervisor of the affected person will initiate and participate in the investigation of incidents in his/her organisational area of control.
- Participants in an incident investigation will focus on obtaining accurate information (including eyewitness accounts wherever possible) and will refrain from apportioning blame for the incident.
- When investigating the incident, all events leading up to the incident should be reviewed. An effective investigation will look for all design, environmental and behavioural components of an incident rather than a single cause.
- The investigation should:
 - Identify problem areas or particular hazards;
 - Consider the views of all people including those of persons with disability affected by the incident;
 - Identify if the incident could have been prevented;
 - Identify how well the incident was managed and resolved;
 - Identify what, if any, remedial actions need to be undertaken to prevent further similar incidents from occurring, or to minimise their impact;
 - Recommend corrective action;
 - Provide information that can be used as a preventative tool;
 - Provide data for management, supervisors, health and safety representatives and OHS committees;
 - Identify if other persons or bodies need to be notified of the incident
 - Provide information that can be used to analyse the need for training programs; and

- o Provide information to assist with the preparation of compensation claims, where relevant.
- The Managing Director will determine if the recommendations of the investigation will be accepted and will oversee implementation of the recommended corrective actions in accordance with the hierarchy of control.
- The Managing Director must also delegate the timeframe and person responsible for implementing and completing the corrective actions recommended as a result of the investigation.
- All investigations must be reported to the Managing Director and should involve the Immediate Supervisor, and the affected person.
- All investigations will afford procedural fairness in dealing with all incidents.
- If reported to the Commissioner, they may, by notifiable instrument, make guidelines relating to procedural fairness
- The incident management system will be reviewed periodically to ensure the effectiveness of the system.

Responsibilities

Management:

Are responsible for:

- Promoting early reporting of injuries, near misses and hazards, including:
 - o Notifying the Managing Director of incidents immediately, especially if it is a notifiable incident
 - o Completing the Incident Notification Form - administration staff will submit this to Workplace Health and Safety Qld within 24 hours for a notifiable incident
 - o Assisting the affected person to complete the Incident Report Form, or completing it for them if they are unable
 - o Ensuring witnesses give their name and contact details on the Incident Report Form
 - o Completing and signing the Incident Report Form and the Investigation Form where required
- Investigating incidents and controlling risk, including:
 - o Initiating and participating in both initial and in-depth investigation of incidents in his/her organisational area of control
 - o Ensuring the affected person and other relevant participants are involved in the investigation
 - o Ensuring the participants in the investigation focus on obtaining accurate information and refrain from apportioning blame
 - o Ensuring these procedures are followed for all investigations, especially in the case of a notifiable incident
 - o Delegating responsibility for implementing and completing the corrective actions recommended as a result of the investigation. Typical delegation is;
 - o The administrator or managing director will take immediate action to make the situation safe

- o The managing director will decide if this is a reportable incident
- o If this is a reportable incident the administrator will make all forms available to the necessary people for completion and assist in this if required
- o The administrator/managing director is responsible for submitting any forms to the commissioner for notifiable incidents and actioning any recommendations by the commissioner
- o The administrator is responsible for ensuring all persons employed or otherwise engaged by us must comply with the incident management system
- o Reporting on actions taken or progress made toward the implementation of the recommended controls
- o Forwarding a copy of the completed Investigation Form to the Managing Director

Employees/Volunteers/Contractors:

Employees/Volunteers/Contractors shall:

- If the Employee/Volunteer/Contractor becomes aware that a reportable incident has occurred in connection with the provision of supports or services by Physio by Design, they must report all incidents to the administrator/managing director as soon as possible
- Complete the Incident Report Form immediately upon becoming aware of an incident and advise the administrator/managing director at the first opportunity
- Attend and actively participate in incident investigations and training sessions as requested by the manager/managing director
- Report all situations/hazards that could cause incidents upon sighting to the manager/managing director at the first opportunity and suggestions of how to improve the situation
- Comply with recommendations implemented as a result of an investigation in order to prevent occurrence or recurrence of the incident.
- Training of items that may lead to an incident will be conducted with any staff members / customers or external contractors before the use of the item is allowed.

Documentation, record keeping and statistics:

All incidents are recorded on the Incidents register listing actions (if any are needed) have been undertaken.

- Forms for staff can be found within our internal storage system which every staff member has access to.
- Forms clients may need to report an incident are available on the www.physiobydesign.com.au website, or staff can email forms direct to clients on request, including explanation of which forms to fill and how if needed.
- All notifications and relevant information to support as evidence will be kept for at least 7 years from the date of the notifiable incident on Physio by Design's internal storage system.

