



## Incident reports, investigation and notification Policy

Approved by RECC Management Committee

Date of approval: 28/03/17

Due for review: 28/03/19

### Rationale

This policy defines the practices that the RECC will follow to support its adoption of the National Quality Framework, and specifically the following elements of the National Quality Standard:

- **Element 2.3.3** Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practised and implemented.
- **Element 7.3.3** The regulatory authority is notified of any relevant changes to the operation of the service, of serious incidents and of any complaints which allege a breach of legislation.

### Policy Statement

The RECC is committed to providing a safe learning environment for the children in our care and working environment for our staff. The purpose of this document is to ensure that all incidents are reported and investigated appropriately, with a view to prevention of similar future occurrences and compliance with applicable legislation.

### Related Legislation

This Policy is required under [regulation 168\(2\)\(b\)](#) of the [Education and Care Services National Law \(ACT\) Act 2011](#) (the National Law) and describes the policy and procedures to be followed by supervisors and staff members whereby a child is injured, becomes ill or suffers a trauma<sup>1</sup>.

The Policy also outlines the requirements of the RECC to notify the ACT Government of notifiable incidents in accordance with section 38 of the [Work Health and Safety Act \(ACT\) 2011](#).

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<sup>1</sup> Education and Care Services National Regulations 2011, Regulation 85



## Notification

The following parties must be notified:

### Parents

- If the child is involved in any incident, injury, trauma or illness while being cared for by the RECC, the parents must be notified as soon as practicable, but no later than 24 hours after the occurrence<sup>2</sup>.
- Refer to RECC's Illness Policy for further information on the types of incident, injury, trauma or illness that require parent notification.

### Children's Education and Care Assurance (CECA) (Regulatory Authority)

- If there is any serious incident (refer to definition at **Attachment A**) or complaints alleging that the health, safety or wellbeing of a child has been compromised while in the care of the RECC or contravention of the National Law, CECA must be notified<sup>3</sup> within 24 hours.

### WorkSafe ACT

- WorkSafe ACT must be notified immediately by telephone or in writing after a notifiable incident (see definition at **Attachment B**) occurs<sup>4</sup>.

## Notification Process:

All notification are to be completed via the NQ ITS (National Quality IT System) portal this is a confidential and secure place to lodge document that are required by CECA ( Child Education & Care Assurance)

## Record Keeping

Records relating to incidents, injury, trauma and illness must be kept:

### Incident relating to a child in the care of the RECC

- Records must be confidentially stored until the child is 25 years old.

### Incident relating to Work Health and Safety

- Records must be kept for at least five (5) years from the day that WorkSafe ACT is notified of the incident<sup>5</sup>.

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<sup>2</sup> Education and Care Services National Regulations 2011, Regulation 86

<sup>3</sup> Education and Care Services National Law (ACT) Act 2011, Section 174(2)

<sup>4</sup> Work Health and Safety Act (ACT), Section 38

<sup>5</sup> Work Health and Safety Act (ACT) 2011, Section 38(7)



## Procedure

Where any incident, injury, trauma or illness to a child in the care of RECC or notifiable event for the purpose of Work Health and Safety occurs, the Director and staff must follow the following procedure:

### 1. Complete an incident, injury, trauma and illness record

#### Incident relating to a child in the care of the RECC

The Room Leader is responsible for completing the RECC Child Injury/Accident Report as soon as practicable after the event occurred (on the same day of the injury/accident). The form must be completed in full, and should include<sup>6</sup>:

- The name and age of the child
- The circumstances leading to the event
- The time and date the event occurred
- Details of the action taken, including any medication administered or first aid provided
- Details of any person who witnessed the event
- Details of any notification attempts
- The name, signature of the person completing the form, and time and date the entry was made.

The parent/guardian must sign the completed report when they collect the child that day. The Room Leader is responsible for filing the signed report.

#### Incident relating to a staff member

The Director is responsible for completing the RECC Staff Accident/Incident Report as soon as practicable after the event occurred (on the same day of the accident/incident). The Director is responsible for filing the completed report.

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<sup>6</sup> Education and Care Services National Regulations 2011, Regulation 87



## 2. Notify relevant parties

The RECC must notify relevant parties depending on the nature of the incident, injury, trauma or illness. Refer to the 'notification' section on page 1 for guidance on who must be notified.

### Parent

The Room Leader must notify the parent/guardian of any incident, injury, trauma or illness to a child in the care of RECC in accordance with the Illness Policy.

### CECA

The Director must complete the following forms for serious incidents, complaints and non-serious incidents involving children while in the care of RECC:

- **Serious incident:** the Director must complete the [SIO1 Notification of serious incident](#) form within 24 hours of becoming aware of the incident.
- **Complaints or non-serious incidents:** the Director must complete the [NL01 Notification of complaints, non-serious incidents and additional children in an emergency](#) form within seven (7) days of becoming aware of the complaint/incident.

### WorkSafe ACT

The Director must notify WorkSafe ACT of a Work Health and Safety notifiable event by the fastest possible means, either by:

- Phone: 02 6207 3000; or
- Email: [worksafe@act.gov.au](mailto:worksafe@act.gov.au).

Within 48 hours of the initial notification, the Director must notify Access Canberra in writing of the notifiable incident using the [Notifiable incident report](#) form. The completed form must be sent to PO Box 158, Canberra City ACT 2601.

The Centre Director is also responsible for ensuring that the site of the incident is not disturbed until a WorkSafe inspector agrees to its release.

## 3. Investigate incident

RECC will investigate all incidents, accidents and injuries. All such events are also reported to the RECC Management Committee on a monthly basis.

### Non-serious incidents

The Room Leader is generally responsible for investigating minor incidents (such as a scratch, cuts or minor bruising) and do not require a separate investigation report to be completed.

The Director monitors the occurrence of minor incidents, considers what practices should be changed (if any) and implements the changes as appropriate. The Director also provides ongoing education and awareness of staff about the causes and prevention of minor incidents.



## Notifiable incidents

The Director is responsible for investigating notifiable incidents and completing an Incident investigation report. An investigation may include:

- Interviewing the injured person
- Interviewing witnesses
- Considering contributing factors
- Developing and implementing controls/changes to practice to reduce the risk that the incident will reoccur to improve RECC's safety systems.

The Director is also responsible for ensuring that appropriate injury management processes and rehabilitation and return to work strategies are adopted as applicable, with the objective of supporting the injured person to make a safe and early return to RECC.

Where WorkSafe ACT initiates an external investigation, the Director is responsible for the RECC's corporation. The inspector must be escorted at all times (refer to the Work Health Safety Policy) and provided with all relevant information and documentation pertaining to the investigation.

## Related Policies

- Child Protection Policy
- Emergency and Evacuation Policy and Procedures
- Grievances and Complaints Policy
- Safe Environment Policy
- Work Health and Safety Policy

## Sources

- Education and Care Services National Law (ACT) Act 2011
- Education and Care Services National Regulations 2011
- Work Health and Safety Act (ACT) 2011
- [www.acecqa.gov.au/notifications](http://www.acecqa.gov.au/notifications)
- [www.accesscanberra.act.gov.au/app/answers/detail/a\\_id/1767#!tabs-1](http://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1767#!tabs-1)



Attachment A – Definition of ‘Serious Incident’ – *Education and Care Services National Regulations 2011, Regulation 12:*

A **serious incident** is defined as:

- (a) the death of a child—
  - (i) while being educated and cared for by an education and care service; or
  - (ii) following an incident while being educated and cared for by an education and care service;
- (b) any incident involving serious injury or trauma to, or illness of, a child while being educated and cared for by an education and care service—
  - (i) which a reasonable person would consider required urgent medical attention from a registered medical practitioner; or  
**Examples:** Whooping cough, broken limb, anaphylaxis reaction.
  - (ii) for which the child attended, or ought reasonably to have attended, a hospital;
- (c) any incident where the attendance of emergency services at the education and care service premises was sought, or ought reasonably to have been sought;
- (d) any circumstance where a child being educated and cared for by an education and care service—
  - (i) appears to be missing or cannot be accounted for; or
  - (ii) appears to have been taken or removed from the education and care service premises in a manner that contravenes these Regulations; or
  - (iii) is mistakenly locked in or locked out of the education and care service premises or any part of the premises.

**‘Medical attention’** includes a visit to a registered medical practitioner or attendance at a hospital.  
**‘Emergency services’** may include ambulance, fire brigade, police and state emergency services.



## Attachment B – Workplace Health and Safety Definitions relating to a ‘Notifiable Incident’ – *Workhealth and Safety Act (ACT) 2011*.

A **notifiable incident** is defined as<sup>7</sup>:

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

A **serious injury or illness** means an injury or illness requiring the person to have<sup>8</sup>:

- (a) immediate treatment as an in-patient in a hospital; or
- (b) immediate treatment for—
  - (i) the amputation of any part of his or her body; or
  - (ii) a serious head injury; or
  - (iii) a serious eye injury; or
  - (iv) a serious burn; or
  - (v) the separation of his or her skin from an underlying tissue; or
  - (vi) a spinal injury; or
  - (vii) the loss of a bodily function; or
  - (viii) serious lacerations; or
- (c) medical treatment within 48 hours of exposure to a substance,

A **dangerous incident** means any incident in relation to a workplace that exposes a worker or any other person to a serious risk to a person's health or safety emanating from an immediate or imminent exposure to<sup>9</sup>:

- (a) an uncontrolled escape, spillage or leakage of a substance;
- (b) an uncontrolled implosion, explosion or fire;
- (c) an uncontrolled escape of gas or steam;
- (d) an uncontrolled escape of a pressurised substance;
- (e) electric shock;
- (f) the fall or release from a height of any plant, substance or thing;
- (g) the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in the [Work Health and Safety Regulation 2011](#);
- (h) the collapse or partial collapse of a structure;
- (i) the collapse or failure of an excavation or of any shoring supporting an excavation;
- (j) the inrush of water, mud or gas in workings, in an underground excavation or tunnel;
- (k) the interruption of the main system of ventilation in an underground excavation or tunnel; or,
- (l) another event prescribed in the [Work Health and Safety Regulation 2011](#).

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<sup>7</sup> Work Health and Safety Act (ACT) 2011, Section 35

<sup>8</sup> Work Health and Safety Act (ACT) 2011, Section 36

<sup>9</sup> Work Health and Safety Act (ACT) 2011, Section 37

