NSW WORKPLACE INCIDENT MANAGEMENT POLICY AND PROCEDURE

WORKPLACE INCIDENT MANAGEMENT POLICY AND PROCEDURE

Purpose and Scope

The purpose of this policy and procedure is to provide guidelines for reporting, investigating, and applying appropriate control measures when an incident or near miss occurs that involves Bilingual Care's staff. The aim is to ensure that incident response is timely, and the investigation is thorough, so that the incident is prevented from happening again.

This policy and procedure also sets out the steps that staff and Bilingual Care must follow when a staff member is injured during the course of employment, to support their return to normal duties.

It applies to all staff and meets relevant legislation, regulations, and Standards.

Identifying and reporting abuse or neglect of consumers, or other incidents involving consumers, are covered in Bilingual Care's *Consumer Incident Management Policy and Procedure*.

Applicable Strengthened Aged Care Quality Standards

- *Standard 2. The Organisation*

Definitions

Dangerous Incident (including 'Near Misses') - an incident that exposes any person to a serious risk resulting from an immediate or imminent exposure to:

- an uncontrolled escape, spillage, or leakage of a substance
- an uncontrolled implosion, explosion, or fire
- an uncontrolled escape of gas or steam
- an uncontrolled escape of a pressurised substance
- electric shock
- the fall or release from a height of any plant, substance, or thing
- the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with WHS regulations
- the collapse or partial collapse of a structure
- the collapse or failure of an excavation or of any shoring supporting an excavation
- the inrush of water, mud, or gas in workings, in an underground excavation or tunnel or
- the interruption of the main system of ventilation in an underground excavation or tunnel.

A dangerous incident includes both immediate serious risks to health or safety, and a risk from an immediate exposure to a substance which is likely to create a serious risk to health or safety in the future, for example asbestos or hazardous chemicals.[1]

Harm - Includes injuries and illnesses (physical and psychological) caused by a single, multiple, or long-term exposure to an event.[2]

Hazard – something, including a person's behaviour, has the potential to cause death, illness, or injury.[3]

Hazard Identification - A process that involves identifying all foreseeable hazards in the workplace and understanding the possible harm that each hazard may cause.

Hazard Management - A structured process of hazard identification, risk assessment and control, aimed at providing safe and healthy conditions for staff, contractors, and visitors while on the premises.

Incident - an occurrence that causes (or could have caused, in the case of a 'Near Miss') damage to property, injury, illness, or death.

Near Miss - any unplanned incident that, although not resulting in any injury or disease, had the potential to do so.

Notifiable Incident –

- the death of a person
- a serious injury or illness of a person or
- a dangerous incident.[4]

Psychosocial Hazard - a hazard that:

- arises from, or relates to:
    - the design or management of work
    - a work environment
    - plant at a workplace or
    - workplace interactions or behaviours and
- may cause psychological harm, whether or not it may also cause physical harm.[5]

Psychosocial Risk - a risk to the health or safety of a staff member or other person arising from a psychosocial hazard. Bilingual Care must manage psychosocial risks in the same way it manages other risks to staff health and safety.[6]

[1] *Work Health and Safety Act 2011 (NSW)*
[2] SafeWork NSW 2023, *Glossary*, NSW Government, accessed 24 October 2025, https://www.safework.nsw.gov.au/advice-and-resources/campaigns/easy-to-do-work-health-and-safety.1/popover-tiles-1/glossary.
[3] SafeWork NSW 2023, *Glossary*, NSW Government, accessed 24 October 2025, https://www.safework.nsw.gov.au/advice-and-resources/campaigns/easy-to-do-work-health-and-safety.1/popover-tiles-1/glossary.
[4] *Work Health and Safety Act 2011 (NSW)*
[5] *Work Health and Safety Regulation 2017 (NSW)*
[6] *Work Health and Safety Regulation 2017 (NSW)*

Safety Data Sheet (SDS) – a document prepared by the manufacturers of chemicals that provides information about a hazardous chemical to ensure users can work safely with the substance. Information in SDSs includes the substance's physical properties (e.g., melting/boiling point, toxicity, reactivity), health effects, first aid response requirements and safe handling procedures (e.g., personal protective equipment, safe storage/disposal, and spills management).

If not provided in physical form with a chemical, SDSs should be located on the manufacturer's website. SDSs are valid for 5 years but should be checked at least annually in the event the manufacturer has made updates.

Serious Injury or Illness - an injury or illness requiring a person to have:

- immediate treatment as an inpatient in a hospital
- immediate treatment for:
    - the amputation of any part of his or her body
    - a serious head injury
    - a serious eye injury
    - a serious burn
    - the separation of his or her skin from an underlying tissue (e.g., de-gloving or scalping)
    - a spinal injury
    - the loss of a bodily function
    - serious lacerations
- medical treatment within 48 hours of exposure to a substance or
- any infection where a person's work is a significant contributing factor. This includes any infection related to carrying out work:
    - with micro-organisms
    - that involves providing treatment or care to a person
    - that involves contact with human blood or body substances or
    - that involves handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products.[7]

Policy

Bilingual Care is committed to providing a safe workplace for all staff, consumers, and other stakeholders and to establishing a formal process to report and investigate all workplace incidents and near misses. This includes identifying contributing factors and making the necessary recommendations to prevent a recurrence.

Bilingual Care will respond to any incident or injury immediately and will ensure the person is provided with access to the medical support they need.

There are many benefits for health and wellbeing when staff are supported by a return to work program. Bilingual Care will support staff to return to work in a safe and sustainable way.

[7] *Work Health and Safety Act 2011 (NSW)* and *Work Health and Safety Regulation 2017 (NSW)*

Procedures

Leadership Team Responsibilities

The Leadership Team must ensure Bilingual Care meets its work health and safety (WHS) and workplace incident management responsibilities. This includes:

- maintaining knowledge of WHS matters including legislative requirements for reporting incidents
- understanding the nature of Bilingual Care's operations and the hazards and risks associated with those operations
- ensuring Bilingual Care has appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out
- ensuring Bilingual Care has appropriate resources for the management of incidents
- providing accessible first aid equipment, facilities and trained staff to respond to incidents
- ensuring it receives and considers information regarding incidents, hazards, and risks, and responds to this information in a timely way and
- ensuring Bilingual Care has, and implements processes for, complying with its incident reporting duties and obligations.

With respect to workers compensation and supporting injured staff to return to work, the Leadership Team must:

- ensure all staff are covered by an appropriate Workers Compensation Policy
- prominently display and/or distribute the '*If You Get Injured at Work*' poster[8] and
- ensure Bilingual Care has an effective Return to Work program.

Staff Responsibilities

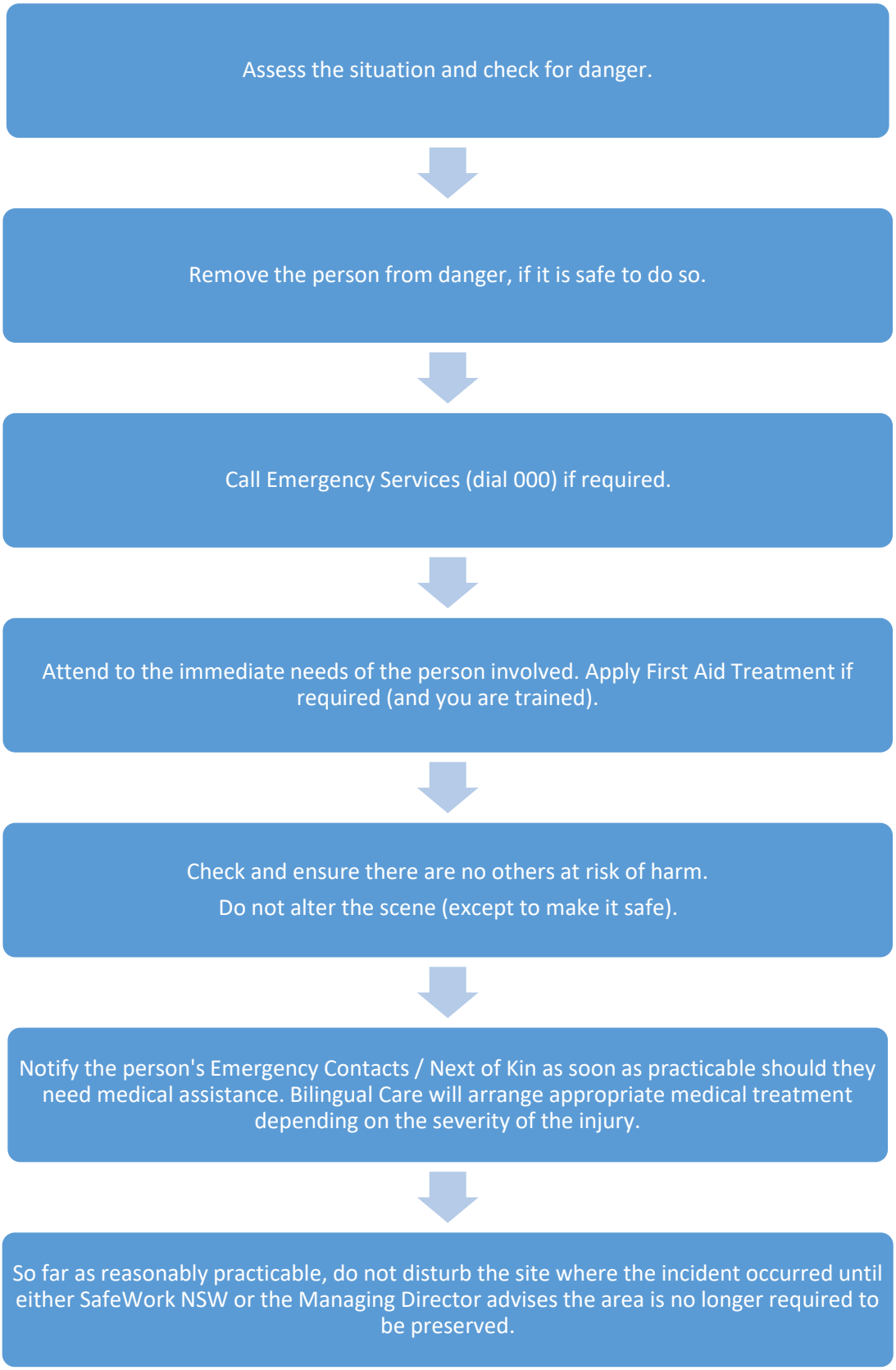
All staff are responsible for:

- reporting accidents, incidents or near misses as soon as practicable
- taking reasonable care for their own health and safety, and reasonable care that their acts or behaviours do not negatively affect the health and safety of others and
- complying with reasonable instructions that are given by supervisors and managers for Bilingual Care to comply with its obligations and responsibilities.

Upon commencement, all staff will undergo an Induction, which will include training in mitigating and responding to incidents. Those responsible for investigating any accident, incident or near miss as part of their role will also be trained in those areas.

[8] State Insurance Regulatory Authority 2023, *If You Get Injured at Work*, NSW Government, poster, accessed 24 October 2025, https://www.sira.nsw.gov.au/resources-library/workers-compensation-resources/publications/workers-compensation-policies/if-you-get-injured-at-work-poster.

Responding to Incidents



Reporting Incidents

All incidents, near misses, and illnesses where a staff member's work is a significant contributing factor must be reported to the Managing Director as soon as practicable and within 24 hours, through completion of a Bilingual Care *Incident Report.* Where possible, the affected staff member should complete the report.

If an incident is a Notifiable Incident, the Managing Director must report it to SafeWork NSW immediately on 13 10 50. SafeWork NSW may need to conduct an urgent investigation and the incident site must be preserved until an inspector attends.

Where an injury or illness could mean the staff member will need to claim workers compensation, the Managing Director must notify Bilingual Care's insurer within 48 hours of becoming aware of it, using icare's online form,[9] or by phone, email, or post. If Bilingual Care does not report a work-related injury or illness within five calendar days of becoming aware of it, it may be required to pay a 'claims excess payment', which is equivalent to one week of the affected staff member's weekly payments. Once reported, the insurer will provide an injury notification number (sometimes referred to as a claim number). If Bilingual Care does not notify the insurer, the affected staff member, or a representative (e.g., family member or doctor), may notify them.

The Managing Director may also need to inform the New South Wales Police Service or other relevant authorities.

All incidents, near misses, and illnesses where a staff member's work is a significant contributing factor must be recorded in Bilingual Care's *Incident Register.*

The register must record the:

- name of the injured staff member
- staff member's address
- staff member's age at the time of their injury or illness
- staff member's occupation at the time of their injury or illness
- time and date of the injury or illness
- staff member's exact location at the time of the injury or illness
- nature and cause of the injury or illness
- names of witnesses, if any, to the injury or illness
- treatment given
- date on which the entry in the register is made and
- the name of the person making the entry.

The Managing Director must track progress and outcomes of incidents, illnesses, and near misses in Bilingual Care's *Incident Register* and refer any relevant items for inclusion in Bilingual Care's *Continuous Improvement Plan*.

[9] icare 2023, *Notify Us of an Injury or Make a Claim*, Insurance and Care NSW, accessed 24 October 2025, https://www.icare.nsw.gov.au/employers/make-a-claim/notify-us-of-an-injury-or-make-a-claim.

Incidents, illnesses, and near misses are to be reported to the Leadership Team fortnightly by the Managing Director as part of their WHS reporting. These must be reviewed by the Leadership Team to determine if there are any trends or preventive measures that Bilingual Care can take to prevent future occurrences. If trends or measures are identified, these must be tracked in Bilingual Care's *Continuous Improvement Plan*.

Needlestick Injuries

Needlestick injuries or exposures to blood and/or body fluids (or body substances) must be reported and should be managed in accordance with the *HIV, Hepatitis B and Hepatitis C – Management of Health Care Workers Potentially Exposed Policy Directive.*[10]

SafeWork NSW must be notified by calling 13 10 50 when a staff member has received any of the following types of medical treatment within 48 hours of an exposure incident involving contact with blood or body substances:

1. A staff member who has been exposed to blood or body substances and
   - has never been vaccinated against hepatitis B or
   - is a non-responder to previous hepatitis B vaccination courses and,
   - following the exposure incident, requires a:
     - hepatitis B vaccination and
     - hepatitis B immunoglobulin.

2. A staff member requires post-exposure prophylaxis against HIV infection.

SafeWork NSW must also be notified if an infection occurs because of an exposure incident, such as Hepatitis B, Hepatitis C and HIV.

Chemical Incidents

For any injuries or illnesses that have, or may have been caused by a hazardous chemical, staff must follow the Emergency Response and First Aid instructions on the chemical's Safety Data Sheet (SDS).

The SDS must also be available for Emergency Services if they attend the incident and a copy taken to the treating medical practitioner or hospital.

For further information about chemical safety refer to Bilingual Care's *Chemical Use and Storage Policy and Procedure*.

Investigating and Resolving Incidents

For Notifiable Incidents, the Managing Director will work with SafeWork NSW and other relevant authorities to investigate the incident.

For all other incidents, illnesses, or near misses, the Managing Director or their nominated representative must:

- commence investigations immediately upon receiving a completed *Incident Report* and, where a staff member is injured, involve them in the investigation

[10] NSW Health 2017, *HIV, Hepatitis B and Hepatitis C – Management of Health Care Workers Potentially Exposed*, NSW Government, Sydney, accessed 24 October 2025, https://www1.health.nsw.gov.au/pds/Pages/doc.aspx?dn=PD2017_010.

- implement the most effective controls practicable that do not introduce other hazards, and monitor and review these (based on Bilingual Care's *Risk Management Policy and Procedure*)
- consult with staff who are, or are likely to be, directly affected
- provide information and feedback to the Leadership Team and
- track all relevant information in Bilingual Care's *Incident Register*.

Upon completion of the investigation the Managing Director must finalise the relevant *Incident Report* and record the outcomes in the *Incident Register*.

The *Incident Register* must be updated to include:

- a summary of the incident, illness, or near miss and date it occurred
- any hazards identified
- corrective action or controls implemented and
- outcomes of reviews of corrective actions or controls implemented.

The completed *Incident Report* should be kept on the relevant staff member's file.

Debrief and Support

For all people involved in an incident, illness, or near miss, if required, the Managing Director must:

- facilitate an informal debrief amongst supervisors, colleagues, or peers and
- ensure appropriate support and access to counselling is made available.

Bilingual Care should also support affected staff by:

- discouraging blame. Instead, consider how to prevent future incidents and how Bilingual Care can help the person recover
- encouraging co-workers to stay in touch with injured or ill staff who are away from work
- considering whether there are any barriers to a staff member's recovery and return to work that Bilingual Care can assist with and
- ensuring injured or ill staff are aware of their obligations regarding Bilingual Care's support for them to return to work.

Bilingual Care may also be able to access counselling and support through SafeWork NSW for those affected by a Notifiable Incident.

Workers Compensation

All work-related injuries or illnesses that may result in a workers compensation claim must be reported in accordance with the 'Reporting Incidents' section of this policy and procedure.

Following the report, the insurer will contact the affected staff member, Bilingual Care, and if necessary, the staff member's doctor to determine how best to support the staff member's recovery.

The impacted staff member will then have access to provisional support until liability is determined. Provisional support may entitle the staff member to weekly compensation payments for up to 12 weeks, as well as medical treatment of up to $10,000 for reasonably necessary medical treatment. Where the injury or illness results in a loss of earnings, the insurer must commence provisional weekly payments within 7 days of reporting, unless they have a reasonable excuse not to do so. If the insurer does not ultimately accept the staff member's workers compensation claim, they will not be required to pay back any provisional payments made.

In the meantime, a staff member who is away from work due to a work-related injury or illness should nominate and be assessed by a doctor. The doctor will determine the kind of treatment they require, including the frequency and duration of treatment. The doctor will also issue a *NSW Workers Compensation Certificate of Capacity*, which is required to make a workers compensation claim. The original *NSW Workers Compensation Certificate of Capacity* must be provided to Bilingual Care, who must provide a copy to its workers compensation insurer (via the online form if that was how the injury or illness was reported).

If awarded workers compensation, the affected staff member may be able to claim medical expenses and receive weekly payments for the time they need off work.

Bilingual Care will make every reasonable effort to support its staff in any claim for workers compensation, including adhering to this policy and procedure, providing staff with workers compensation information, and assisting staff with planning their return to work.

Claims Support

For help regarding the claim process, staff can consult Bilingual Care's workers compensation insurer, the Return to Work Coordinator, or icare on 13 77 22.

Return to Work[11]

Return to Work Coordinator

Bilingual Care's Return to Work Coordinator is its Managing Director. The Return to Work Coordinator is responsible for fulfilling the day-to-day requirements of Bilingual Care's Return to Work Program. They are also responsible for liaising with injured staff and their support people on behalf of Bilingual Care.

The Return to Work Coordinator must possess the relevant training, skills, and experience to fulfil their role. This includes completing SIRA's 'Introduction to Return to Work Coordination' and 'Advanced Return to Work Coordination' courses. Copies of the Return to Work Coordinator's qualifications must be kept on their staff file.

The Return to Work Coordinator is responsible for:

- recovery at work planning
- managing staff with a work-related injury or illness
- compiling initial notification information
- coordinating staff recovery at work, including identifying suitable alternate duties

[11] State Insurance Regulatory Authority (SIRA) 2023, *Guidelines for Workplace Return to Work Programs*, NSW Government, accessed 24 October 2025, https://www.sira.nsw.gov.au/resources-library/workers-compensation-resources/publications/help-with-getting-people-back-to-work/guidelines-for-workplace-return-to-work-programs.

- preparing, monitoring and reviewing a *Recover at Work Plan* (in consultation with key parties) that documents the staff member's capacity and the duties available within the business for them to perform
- liaising with external stakeholders, such as the nominated treating doctor, insurer, treatment providers, union, and workplace rehabilitation provider
- implementing Bilingual Care's Return to Work Program
- supporting the redeployment of staff (internally or externally) into suitable employment when they cannot return to their pre-injury duties
- keeping injury and recovery statistics
- keeping confidential case notes and records in line with the *Records and Information Management Policy and Procedure*
- promoting the health benefits of early return to work to staff and
- contributing to the improvement of relevant policies and systems.

Bilingual Care's Return to Work Program

Bilingual Care must have a Return to Work Program within 12 months of becoming an employer, and the program must be developed in consultation with staff.

The program must summarise the process that will be followed to manage staff with work-related injuries or illnesses and align with the injury management plan administered by Bilingual Care's workers compensation insurer.

Bilingual Care's Leadership Team and Return to Work Coordinator are responsible for maintaining the program. It must be reviewed at least every two years and should be written in plain English. Copies of the program must be provided to staff upon request.

The policies, procedures, roles, responsibilities, and communications described in the Program must support timely, safe, and durable recovery at work and align with requirements in the *Work Health and Safety Act 2011 (NSW)*, *Work Health and Safety Regulation 2017 (NSW), Workplace Injury Management and Workers Compensation Act 1998 (NSW)* and *Workers Compensation Regulation 2016 (NSW)*.

For more information, see SafeWork NSW's *Return to Work Program template* and *SIRA Checklist*.[12]

Recovery

Injury Management Plans

Upon notification of a significant injury to Bilingual Care's workers compensation insurer, the insurer will develop an Injury Management Plan (IMP) within 20 working days. A significant injury is where a staff member has been unable to attend work for a continuous period of more than seven days.

[12] SafeWork NSW 2023, *Workers Compensation and Recovery at Work*, NSW Government, accessed 24 October 2025, https://www.safework.nsw.gov.au/easywhs-beta/workers-compensation-and-recovery-at-work/learn-more.

IMPs provide details of a staff member's return to work and recovery goals, including information about treatment. They are developed in conjunction with employers, affected staff, and treating doctors. IMPs are reviewed regularly and updated as necessary where further treatment is approved or there are changes to the recovery at work goal. Subsequent plans will be more detailed than the initial IMP.

Recover at Work Plans

Bilingual Care's Return to Work Coordinator will explain the return to work process to injured or ill staff members who have been off work and support their return to work as soon as possible to encourage recovery.

When an injured or ill staff member is ready to return to work, the Return to Work Coordinator will work with them and their treating doctor to develop a *Recover at Work Plan*. The plan should adjust the staff member's duties to match their capacity for work. This may be a gradual process where the person returns to modified duties or reduced hours to accommodate their injury.

Bilingual Care will provide suitable duties that are consistent with medical advice and that are meaningful, productive, and appropriate for the person's physical and psychological condition depending on their individual circumstances. Suitable duties may be:

- at the same worksite or a different worksite
- the same job with different hours or modified duties
- a different job or
- full time or part time.

Copies of the staff member's *Recover at Work Plan* must be provided to Bilingual Care's workers compensation insurer, the staff member, their doctor and their supervisor or manager. A copy should also be kept by the Return to Work Coordinator.

Supervisors, managers, and co-workers should be informed of the types of duties that the staff member can perform, without compromising personal and confidential information about the person's injury. The Return to Work Coordinator will ensure the person is offered the assistance of a workplace rehabilitation provider if it becomes evident that they are not likely to resume their pre-injury duties or cannot do so without changes to the workplace or work practices.

Recover at Work Plans must be monitored weekly and updated as the staff member's capacity for duties at work increase.

For more information about *Recover at Work Plans* including a template, see SIRA's *Recover at Work Planning Tool*.[13]

Reporting

The Return to Work Coordinator must report to the Managing Director on a monthly basis regarding Bilingual Care's Return to Work program, staff members' workers compensation claims and the status of different staff members' *Recover at Work Plans*.

[13] State Insurance Regulatory Authority 2023, *Recover at Work Planning Tool*, NSW Government, accessed 24 October 2025, https://www.sira.nsw.gov.au/resources-library/workers-compensation-resources/publications/help-with-getting-people-back-to-work/recover-at-work-planning-tool.

Complaints and Dispute Resolution

Bilingual Care's Return to Work Coordinator will work with injured or ill staff and their representatives (including union representatives) to resolve disagreements about their return to work program or suitable duties.

If disagreements cannot be resolved, the Return to Work Coordinator can request involvement of other parties such as Bilingual Care's workers compensation insurer, the staff member's treating doctor, an approved workplace rehabilitation provider, or an injury management consultant.

The Return to Work Coordinator or injured staff member may also raise their complaint with icare on 13 99 22. General enquiries and complaints about the regulation of workers compensation in New South Wales can be directed to the State Insurance Regulatory Authority (SIRA) on 13 74 72.

If a complaint or dispute relates to the insurer's decision regarding a staff member's work capacity or entitlements, the insurer may decide to undertake an internal review of its decision. An internal review is mandatory if it is requested by the complainant. At any point, Bilingual Care or staff may escalate their dispute to the Independent Review Office (IRO) on 13 94 76.

Disputes between staff, Bilingual Care and its workers compensation insurer may also be escalated to and resolved by the New South Wales Personal Injury Commission, which can be contacted on 1800 742 679.

Supporting Documents

Documents relevant to this policy and procedure include:

- *Consumer Incident Management Policy and Procedure*
- *Chemical Use and Storage Policy and Procedure*
- *Risk Management Policy and Procedure*
- *Records and Information Management Policy and Procedure*
- *Incident Reports*
- *Incident Register*
- *Continuous Improvement Plan*
- *NSW Workers Compensation Certificates of Capacity*
- *Recover at Work Plans*
- *SIRA "If You Get Injured at Work" Poster*

Monitoring and Review

This policy and procedure will be reviewed at least annually by the Leadership Team. Reviews will incorporate staff and other stakeholder feedback, where relevant.

Bilingual Care's *Continuous Improvement Plan* will be used to record improvements identified and monitor the progress of their implementation. Where relevant, this information will be considered as part of Bilingual Care's service planning and delivery processes.

DOCUMENT CONTROL

Version No.	Issue Date	Document Owner
2.0	26/06/2026	MD
Version History		
Version No.	**Reviewed Date**	**Revision Description**