

Reference

16 April 2020

**Private and Confidential**



Office of  
Industrial Relations

s. 47(3)(b) of the RTI Act

Safety and HR Manager

Dear Madam

### **Acknowledgement of notified workplace incident**

This letter relates to the notification of a dangerous workplace incident that occurred at your workplace located at

Workplace Health and Safety Queensland (WHSQ) has reviewed the information provided in the notification in conjunction with the [National Work Health and Safety Compliance and Enforcement Policy 2011](#). Based on this review, WHSQ has determined that it does not intend to conduct an investigation of the abovementioned incident at this stage. However, WHSQ may reverse this decision at any stage if additional, relevant information emerges.

As a result of WHSQ's decision not to investigate the incident at this stage, the duty to preserve the site is now lifted.

In considering your duties under the [Work Health and Safety Act 2011](#) (the Act), to workers and others affected by your business or undertaking, it is recommended you conduct an internal investigation to determine the cause of the incident and ensure that appropriate control measures are introduced to prevent or minimise the risk of a similar incident occurring in the future. An information sheet is enclosed to assist in this process.

Section 70 of the Act requires that a person conducting a business or undertaking must consult a health and safety representative about incidents that relate to representatives' area of representation. If your business or undertaking has a health and safety representative, WHSQ suggests that this person is consulted during the investigation into this incident in compliance with the Act.

A record of the investigation should be kept (including the steps taken to identify the cause of the incident) and any subsequent action taken in response to the investigation, with a copy of the relevant incident notification form. As part of WHSQ's compliance program, an inspector may visit the workplace in the future and request to see these records.

Section 17 of the Act requires a person (with a defined duty) to ensure health and safety through risk elimination, or risk minimisation if elimination is not reasonably practicable. The [How to manage work health and safety risks Code of Practice 2011 \(the Code\)](#) provides information to assist duty holders to eliminate and/or minimise health and safety risks in their workplace.

The Code is available from [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au). You are encouraged to adopt the risk management approach set out in the Code to eliminate or minimise the risk of work health and safety incidents at your workplace.

Additional information on how to manage work health and safety at your workplace, is available at Workplace Health and Safety Queensland's website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au) or contact 1300 362 128.

Please contact Assessment Services on 1300 632 987 if you require further assistance regarding this matter.

Yours sincerely

s. 47(3)(b) of the RTI Act

[Redacted Signature]

Principal Advisor  
Assessment Services

OIR Disclosure Log

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# Tips for investigating workplace incidents

## Introduction

This bulletin is  
designed to assist

The *Work Health and Safety Act 2011* places obligations on persons including those who conduct a business or undertaking to ensure that the workplace health and safety of workers and other persons is not affected by the conduct of the business or undertaking

Persons conducting  
a business or  
undertaking, workers  
and others to fulfill  
their functions and  
obligations under the  
Work Health and  
Safety Act 2011.

**The main objective of an investigation is prevention. A good investigation aims to establish a series of events that should have taken place and compares it to what actually happened to identify areas that need changing.**

## The team approach to investigations

The type of investigation conducted depends on the seriousness or complexity of the incident, but it is best done as a team so all parties can contribute their skills and expertise to achieve the best result.

The employer is responsible for putting an investigation team together.

Investigators are collectors of evidence and must base their conclusions on that evidence. Take the time to choose the right people to conduct the investigation.

The following people should be considered for the team:

- safety representatives where they exist
- line manager/supervisor
- a safety person from the worksite
- people with the relevant knowledge.

## Investigation procedures

Investigation procedures need to be systematic. For any investigation the team should:

- act as soon as possible after the incident
- visit the scene before physical evidence is disturbed
- not prejudge the situation
- not remove anything from the scene
- enquire if anyone else has moved anything
- take photographs and/or sketches to assist in reconstructing the incident.

After the initial investigation is complete the team should:

- identify, label and keep all evidence. For example, tools, defective equipment, fragments, chemical samples etc
- interview witnesses separately
- check to see if there have been any “near misses” in similar circumstances
- note down all sources of information
- keep records to show that the investigation was conducted in a fair and impartial manner
- review all potentially useful information, including design specifications, operating logs, purchasing records, previous reports, procedures, equipment manuals, job safety analysis reports, records of training and instruction of the people involved and experiences of people in similar workplaces/industries
- reconstruct the incident (while ensuring that another incident doesn’t occur) to assist in verifying facts, identifying what went wrong and what can be done to prevent it happening again.

## What to look for

**Look for causes, not blame. Systems fail for many reasons and the people involved are not always the cause of the incident.**

Build a chain of events to identify all the causes. For the investigation to be successful it is necessary to establish the following information:

1. Events leading up to the incident

Investigate:

- the system of work being carried out and the adequacy or suitability of that system for the job
- the instructions and/or training given for the work
- any variation from instructions or standard work practices and the reasons for such variation
- the workplace conditions, such as lighting, floor surfaces, stair treads and handrails, warning signs, temperature and weather (if the incident occurred outside)
- the exact location of the incident with sufficient detail for the spot to be readily identified by others reading the report
- the materials in use or being handled
- the type of transport or equipment in use
- whether adequate supervision was provided.

2. Facts of the incident itself

Investigate:

- the state of the system and the actions that occurred at the time
- the people directly and indirectly involved
- the tools, equipment, materials and fixtures directly connected

- the time the accident or incident occurred.
3. Facts regarding what occurred immediately after the incident  
Investigate:
- any injuries or damage resulting directly from the incident
  - the people involved, including those rendering aid
  - any problems in dealing with the injuries or damage, for example faulty extinguisher, isolation switch difficult to locate.

4. Essential factors and causes

To conduct an effective incident investigation, it is essential to look for the design, environment/work process, and behaviour components, such as plant, procedures and people, rather than trying to isolate a single cause.

## Design components

Poor systems design may result in exposure to hazards such as:

- unguarded dangerous parts of machinery
- ineffective safety devices
- provision of makeshift plant, equipment and tools
- inadequate ventilation.

## Environmental components/work processes

How people function in the work environment depends on what they experience in it. Environmental factors may be both physical and social.

The way in which people do the job, the procedures they follow and the work process are important factors in incident investigation. Poor work process may lead to hazard exposure.

## Behavioural components

Examples include misuse of safeguards, improper use of tools and equipment, disregard of cautionary notices, failure to wear personal protective equipment, horseplay and poor standards of housekeeping. Poor practices may indicate that improved communication, further training or some other action, such as supervision, are necessary.

**The common practice in industrial accident/incident investigation is to look for the cause of any incident. Searching for a single cause of an incident is restrictive. It focuses attention on only one, or at best a very few, of the essential factors while others, which may be more easily controlled, pass unnoticed.**

## Establishing the facts

This list of questions may assist investigators to establish the facts.

<b>W</b>	was injured?
<b>H</b>	saw the incident?
<b>O</b>	was working with the injured person/s? had instructed and/or assigned the job? else was involved? has information on circumstances/events prior to the incident?
<b>W</b>	is the injury?
<b>H</b>	is the damage or loss?
<b>A</b>	was the injured person/s doing?
<b>T</b>	is the work process? had the injured person/s been instructed to do? tools were being used? machinery/plant/equipment was in use? previous similar accidents or incidents have occurred? action had been taken to prevent recurrence? did the injured person/s and any witnesses see? safety rules were violated? safe systems or work, permits to work, isolation procedures were in place? training had been given? were the contributing causes of the incident? communication system was in use?
<b>W</b>	
<b>H</b>	did the incident occur?
<b>E</b>	did the damage become evident?
<b>N</b>	did the injured person/s start the job? was an explanation of the hazards given? did the supervisor last see the injured person/s? was something seen to be wrong?

**W  
H  
Y**

did the injury occur?  
did communication fail?  
was training not given?  
were there unsafe conditions?  
was the hazard not evaluated?  
was the system of work inadequate or inappropriate?  
was personal protective equipment not provided?  
was protective equipment not used?  
was there no safe system of work, permit to work or isolation procedure operating? were specific safety instructions not given?  
was the supervisor not consulted when things started to go wrong?  
was the supervisor not there at the time?

**W  
H  
E  
R  
E**

did the incident occur?  
did the damage occur?  
was the supervisor at the time?  
were the witnesses at the time?

**H  
O  
W**

did the injury occur?  
could the incident have been avoided?  
could the injury have been avoided?  
could the supervisor have prevented the incident?  
could better design of plant or systems of work help?

Note: Care must be exercised in obtaining answers to some of these questions, as the investigator could be accused of apportioning blame.

## Determining recommendations and conclusions

This checklist may help the investigators when determining the recommendations.

### What systems failed?

- How can we prevent failure or make it less likely?
- How can we detect approaching failure?
- How can we detect failure when it occurs?
- How can we control failure and minimise the consequences?

### What does the system do?

- Why do we do this?
- What could we do instead?
- How else could we do it?

### Which persons failed?

- What did they fail to do?
- In considering this, include failure to supervise, train, check, adequately design etc, as well as failure of a work practice such as closing a valve.
- How can we make failure less likely?

### What is the purpose of the person's action?

- Why do we do this?

### What could we do instead?

- How else could we do it?
- Who else could do it?
- When else could it be done?

### What specific items in the system triggered the incident?

- What does it do?
- Why do we do this?
- What could we do instead?
- What could we use instead?
- How else could we do it?

Acknowledgements: This bulletin is based on information issued by the Resources Safety Division of the Western Australian Department of Consumer and Employment Protection.

