



# **Notifiable incidents, extended absences and suicides**

**Handbook 2025**

**Disclaimer**

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Safe Work Australia works with the Commonwealth, state and territory governments to improve work health and safety and workers' compensation arrangements. Safe Work Australia is a national policy body, not a regulator of work health and safety. The Commonwealth, states and territories have responsibility for regulating and enforcing work health and safety laws in their jurisdiction.

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 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

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# Overview

## What is notifiable to the WHS regulator?

A 'relevant occurrence'. This is a notifiable incident, notifiable extended absence and a notifiable suicide.

## What is a notifiable incident?

### Death of a person (page 14)

All deaths arising from the conduct of the business or undertaking (e.g. related to the work, work environment or things at the workplace). Includes deaths of workers, contractors and members of the public.

### Serious injury or illness of a person (page 21)

arising from the conduct of the business or undertaking:

#### Immediate treatment as a hospital in-patient

Including if the person should have been admitted, but treatment wasn't available or sought.

#### Immediate treatment for

(Including if treatment wasn't available or sought)

- serious eye injury, serious burn, serious laceration (cut), serious crush injury or serious bone fracture
- the amputation of a body part or loss of a bodily function
- separation of skin from tissue (e.g. scalping, degloving)
- a spinal injury
- a pelvis, skull or facial bone fracture.

#### Serious brain injury or illness

Resulting from a single or repeated blows, knocks or shocks to the head.

#### Treatment required within 48 hours of exposure to a substance

Treatment by a doctor, nurse or paramedic.

#### Serious illness (as defined in r 699 of the model WHS Regulations):

##### *Infection where the type of work is a significant contributing factor*

Including work with micro-organisms, contact with blood or bodily substances, providing treatment or care to a person, or contact with animals and animal products.

##### *Infection by zoonoses*

Q fever; anthrax; leptospirosis, brucellosis, Hendra virus, avian influenza or psittacosis, or other infection contracted by handling animals, or animal products and waste.

### Dangerous incidents (page 32)

Arising from the conduct of the business or undertaking that immediately or imminently expose a person to a serious risk to health or safety:

 *These are situations where someone could have been killed or seriously harmed at work.*

uncontrolled escape, spillage or leakage of a substance

uncontrolled fire, implosion, explosion, electrical or arc flash explosion, or an electric shock

uncontrolled escape of gas, steam or a pressurised substance

the fall or release of a thing from a height

the collapse, overturn, failure or malfunction of (or damage to) plant that is required to be authorised for use in accordance with the regulations

collapse or failure of an excavation or any shoring supporting an excavation

inrush of water, mud or gas in workings, or the interruption of the main system of ventilation, in an underground excavation or tunnel

a serious fall of a person from one level to a lower level, into a hole, trench, pit, void or body of water, or onto a dangerous surface or object

mobile plant (including unpowered) which overturns or partially overturns, collides with something, pins a person or ejects someone, malfunctions or moves without control of the operator (e.g. roll-aways).

### Violent incidents (page 40)

#### Exposing a person to a serious risk of psychological harm

Arising from the conduct of the business or undertaking:

a sexual assault (or suspected sexual assault)

a physical assault, including with bodily fluids

deliberate deprivation of a person's liberty (without lawful authority)

threats to carry out the actions above, where there is a reasonable belief that, at the time the threat is made, the person making the threat intends and has the means to carry out the threat.

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## What is a notifiable extended absence? (page 47)

A worker's absence from work for 15+ consecutive calendar days due to an injury or illness (either physical or psychological) arising from the conduct of the business or undertaking. This includes an anticipated absence of 15+ consecutive calendar days based on a medical practitioner's opinion.

## What is a notifiable suicide?

### Suicide or attempted suicide of a worker (page 17)

#### (including suspected)

If any of the following links to work are present:

occurs while working, or when the worker would ordinarily be working (not on leave)

occurred at or very close to the workplace

occurred in work accommodation

occurred while wearing their work uniform, when not ordinarily expected

lethal means were accessed through work

the worker experienced work-related psychological harm

the worker has been exposed to frequent, prolonged or severe psychosocial hazards because of work

there is other information suggesting a link to work.

### Suicide or attempted suicide of a person other than a worker in the workplace (page 19)

#### (including suspected)

Suicide or attempted suicide of a non-worker at a workplace where the suicide is a reasonably foreseeable risk due to the nature of the workplace (e.g. mental health unit, custodial setting) and there is one or more physical hazards that could be used in a suicide (e.g. lethal means present).

### What do I have to do if a notifiable incident, notifiable extended absence or notifiable suicide occurs?

#### ✔ **Prioritise health and safety**

Ensure appropriate first aid or medical treatment is provided.

Manage immediate health and safety risks to other people.

#### ✔ **Notify the WHS regulator when you become aware**

##### **Immediately notify:**

Death, serious injuries and illnesses, dangerous incidents, violent incidents, suicide and attempted suicide (including suspected).

##### **Notifiable extended absence - within 14 days:**

Within 14 days of becoming aware of a notifiable extended absence (15+ consecutive calendar days), or a likely notifiable extended absence (in the opinion of a medical practitioner).

*Note: Notification to the WHS regulator is only required once in relation to the same event or set of circumstances. However, you may have notification requirements in relation to other regulatory bodies. The handbook does not cover these.*

#### ✔ **Advise other duty holders**

The person conducting the business or undertaking (PCBU) and the person with management or control of the workplace must both ensure the other is notified (if these roles are different people) so far as is reasonably practicable. It is good practice to also notify any other PCBUs at the workplace.

#### ✔ **Preserve the site and evidence**

The person with management or control of the workplace is responsible for preserving the site and evidence, so far as is reasonably practicable.

This does not prevent any action needed to assist an injured person, remove a deceased person, make the site safe or to minimise the risk of another incident, or assist a police investigation.

##### **Preserve the site**

Ensure that parts of the site related to the incident are not disturbed until directed by an inspector.

##### **Preserve evidence**

Maintain evidence related to the incident such as equipment, witness details, CCTV recordings.

#### ✔ **Keep records**

Records must be kept for at least five years from the date of notification.

#### ✔ **Privacy and confidentiality**

It is important to protect privacy and confidentiality. Information should be shared only for authorised purposes and when required to meet legal obligations.

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# Introduction

 **Content advice: Some people may find parts of this content confronting or distressing. Please carefully consider your needs when reading the following information. If this material raises concerns for you, contact Lifeline on [13 11 14](#), or see other resources listed in [Appendix B](#).**

Safe Work Australia acknowledges the individuals, families and communities affected by workplace deaths, injuries and illnesses.

## About this handbook

This handbook outlines work health and safety (WHS) notification duties under the model WHS laws, including changes that have been made to the model WHS Act. These changes will only create legal duties if they are adopted in your jurisdiction. Safe Work Australia develops model WHS laws, but each jurisdiction is responsible for adopting and enforcing WHS laws.

This handbook is a general guide and does not provide legal advice. It may not cover all circumstances or obligations that duty holders have.

Please check with your local WHS regulator to confirm which requirements apply to you. Contact details are at [Appendix B](#).

This handbook does not provide guidance on managing WHS risks. For comprehensive information on risk management, duties under the model WHS laws and model Codes of Practice, please refer to the [Safe Work Australia website](#).

 A [Glossary](#) of key terms is at the end of the handbook.

## Audience of this handbook

This handbook provides information for PCBUs on what is notifiable under the model WHS laws and what to do after a notifiable incident, notifiable extended absence or notifiable suicide occurs.

Businesses and undertakings must notify their WHS regulator of notifiable incidents, notifiable extended absences, and notifiable suicides. Failure to notify is an offence and penalties apply.

WHS regulators may also use this handbook in support of education, compliance and enforcement action.

Health and Safety Representatives and Health and Safety Committees may also find this handbook helpful in understanding notification duties.

 **Raising a health and safety concern as a worker or other person**

If you are a worker, acting on a worker's behalf, or a member of the public and want to raise concerns about a work-related incident or risks to health and safety at a workplace, contact your WHS regulator (see Appendix B for contact details).



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)



### Why is notification important?

The primary purpose of notification is to enable the WHS regulator to investigate serious workplace events and potential contraventions of WHS laws in a timely manner.

WHS regulators are committed to preventing both physical and psychological harm. Reporting a notifiable incident, notifiable extended absence or notifiable suicide helps to create safer workplaces by enabling WHS regulators to investigate and uncover underlying hazards and risks.

Notification can also help WHS regulators identify and analyse trends which can lead to developing better safety standards and preventative measures across all workplaces.

PCBUs have a legal obligation to notify the WHS regulator of a notifiable incident, notifiable extended absence or notifiable suicide. However, notification does not mean that the PCBU has breached their WHS duties. Incidents may occur even where the PCBU has managed all risks so far as is reasonably practicable.

### Other reporting requirements

In addition to notification requirements under the model WHS laws, PCBUs must be aware of their broader notification obligations. This includes health and air monitoring requirements for specific substances and asbestos notification requirements.

There may be additional notification duties required by other laws, for example electrical, maritime or transport incidents. It is important that PCBUs understand and comply with all relevant notification duties to ensure the health and safety of everyone at the workplace.

**i** The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. Check with your WHS regulator.

# 1. Notification requirements



## 1.1 What must be notified?

A 'relevant occurrence' must be notified.

### Section 34A Definition

In this Part: relevant occurrence means the following:

- a) a notifiable incident;
- b) a notifiable extended absence;
- c) a notifiable act of suicide.

### Section 35 What is a notifiable incident

In this Act, notifiable incident means any of the following arising from the conduct of a business or undertaking:

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

### Under Part 3 of the model WHS Act, there are 3 categories of events or situations that are notifiable to the WHS regulator:

1. Notifiable incidents of deaths, serious injuries and illnesses, dangerous incidents and violent incidents arising from the conduct of the business or undertaking.
2. Notifiable extended absence of a worker arising from the conduct of the business or undertaking.
3. Notifiable work-related suicides and attempted suicides.



*A 'worker' is a person who carries out work for a PCBU, such as employees, contractors, casual workers, temporary workers, apprentices and volunteers.*

### In this section:

- 1.1 What must be notified? →
- 1.2 'Arising from the conduct of the business or undertaking' and the link to work →
- 1.3 Identifying what requires notification →

## 1.2 'Arising from the conduct of the business or undertaking' and the link to work

Notifiable incidents (i.e. deaths, serious injuries and illnesses, dangerous incidents and violent incidents) and notifiable extended absences are notifiable if they 'arise from the conduct of the business or undertaking'.

To be notifiable, there must be a connection to the activities, operations or functions of the business or undertaking. The connection should not be far-fetched or fanciful. If a business or undertaking has control or influence over the circumstances leading to an incident or a worker's extended absence, it is likely to be considered as 'arising from its conduct'.

For example, the following factors may indicate that the event has arisen from the conduct of the business or undertaking and would be notifiable:

- activities or tasks performed by workers as part of their job role
- the physical conditions of the workplace (anywhere work is done), including the environmental conditions
- the tools, machinery and equipment used for work
- a worker being identified and targeted because of their job (even if not working at the time), for example a violent incident happening to a government worker because the attacker has a dispute with the government agency, or
- the procedures, policies and practices of the business or undertaking.



For notifiable suicides or attempted suicides of workers, notification is only required when there are readily identifiable factors that may indicate a potential link to work. These factors are set out in [section 3.3](#).

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**Table 1: Scenarios of notifiable incidents and notifiable extended absences arising from the conduct of the business or undertaking**

**Note:**

- *The scenarios in this table are provided for guidance only. They are not exhaustive and notification duties will depend on the specific circumstances.*
- *The scenarios listed under 'Not notifiable' are typically excluded as (based on the information available to the PCBU) there is no known link to work or the workplace.*

 **Notifiable**

A worker narrowly avoids a high voltage electric shock when climbing a ladder to perform work near a power line.

 *The incident is connected to the work being performed by the worker, so it is a notifiable incident.*

A worker's finger is amputated while using work machinery.

 *The incident is connected to the work being performed by the worker, so it is a notifiable incident.*

A worker gets a serious respiratory illness after being exposed to an airborne contaminant in the workplace and requires medical treatment from a doctor the next day.

 *While the seriousness of the illness becomes apparent after work hours, there is a connection to the work performed and exposure to the airborne contaminant, so it is a notifiable incident.*

A worker sustains a serious head injury after falling from scaffolding.

 *The incident is connected to the work being performed by the worker, so it is a notifiable incident.*

A stable hand works with a horse that is showing signs of an illness. Days later, the worker develops symptoms and is diagnosed with Hendra virus.

 *The illness is prescribed under regulation 699 and was contracted in the course of work involving direct contact with animals, so it is a notifiable incident.*

A customer slips due to a spill on the floor at a supermarket, resulting in a serious bone fracture which requires emergency surgery.

 *The bone fracture is a 'serious injury'. The work environment (slippery floor) causes the serious bone fracture. The serious bone fracture is arising from the conduct of the supermarket, so it is a notifiable incident.*

A service station worker is threatened with a gun during a robbery. The threat is made in person, the person has the means to carry out the threat, and it poses a serious risk to the worker's psychological health and safety.

 *The incident is connected to the work being performed by the worker, so it is a notifiable incident.*

There is a hazardous chemical spill in a manufacturing plant, causing a serious risk to health and safety when people in the work area are exposed to the airborne contaminant.

 *The work and work environment (chemical spill) causes the serious risk to health and safety, so it is a notifiable incident.*

Storage racks collapse in a warehouse in an area where workers usually work, exposing workers to serious health and safety risks from falling objects.

 *The collapse is linked to the work environment and plant at the workplace, so it is a notifiable incident.*

A worker is exposed to airborne asbestos during a construction project. The exposure occurred while performing work-related tasks.

 *The incident is connected to the work being performed by the worker, so it is a notifiable incident.*



### ✓ Notifiable

A worker is physically assaulted by a client during a work-related interaction and suffers serious psychological harm. The violence happened in the course of business operations.

**i** *There is a causal link between the work and the incident, so it is a notifiable incident.*

A worker is sexually assaulted by a colleague during a dinner event organised by the PCBU.

**i** *While the incident happened outside of usual work hours and offsite, it arises from the business' conduct because it was organised and encouraged by the business as part of its work activities and the people involved attended in connection with their roles at work, so it is a notifiable incident.*

A worker's hand is caught in a machine which results in a serious crush injury.

**i** *The injury is a 'serious injury' and there is a causal link to work as it occurred in the course of performing a work task, so it is a notifiable incident.*

A worker suffers heatstroke while working in a high-temperature environment and is admitted to hospital.

**i** *There is a causal link to the work and work environment, so it is a notifiable incident.*

A worker is injured in a traffic accident while driving to visit a client and is admitted to hospital.

**i** *The incident occurred in the course of performing a work task, so it is a notifiable incident.*

A worker develops a musculoskeletal injury from repetitive tasks at work. The injury develops over time and leads to the worker having 3 weeks off work.

**i** *There is a causal link to the hazardous manual tasks performed, so it is a notifiable extended absence.*

A worker with a known pre-existing condition of anxiety is repeatedly given work tasks to manage aggressive customers without support and must work excessive over-time. After developing symptoms of severe anxiety they are signed off work by their doctor for a month.

**i** *There is a causal link to the work and work environment causing psychological harm, so it is a notifiable extended absence.*

A worker with a pre-existing respiratory condition is regularly exposed to strong chemicals in a work area with limited ventilation and no suitable PPE. Their respiratory condition worsens and they are absent from work for 3 weeks.

**i** *There is a causal link to the work environment, so it is a notifiable extended absence.*



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### Not notifiable

Incidents or absences arising from pre-existing non work-related medical conditions or personal health issues which are not influenced by the work task or conditions are generally not notifiable. For example, a worker experiences a medical episode (e.g. epileptic seizure or heart attack) which is considered to be unrelated to the work environment or work activities. Plant, structures and the work environment did not increase the harm from the incident (e.g. person having a seizure did not injure themselves from hitting unguarded plant).

A worker receives an anonymous threat on social media and is exposed to a serious risk of psychological harm, but there is no known link to the worker's work or the workplace.

There is a violent incident between workers outside of the workplace and not during work hours or a work social event, and there is no known link to work (e.g. it is a personal dispute between the workers on a matter not related to work).

A worker is injured in a car accident on the way to work (and the car or driving is not part of the worker's job). Work-related fatigue was not a factor.

A worker witnesses a violent altercation through their office window which exposes them to a serious risk of psychological harm. The violence they witnessed is not linked to the work or workplace.

A person falls on rain wet pavement on a footpath at the front of a café, where the pavement is on public property, not managed by the café and the café has no control over its maintenance.

A patient threatens to physically assault a worker but they do not have the means to carry out the threat due to their health condition, so there was no serious risk to health or safety. In this case the worker was not exposed to a serious risk of psychological harm.

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## Notification requirements apply to work and workplaces

Notification laws apply to workplaces—this means any place where a worker goes or is likely to be while work is carried out for a business or undertaking. This may be in a traditional workplace (such as an office or factory), while working in a vehicle (such as a delivery driver), from home or any other location where work is carried out.

These duties do not apply to volunteer associations. Volunteer associations are groups of volunteers working together for one or more community purposes with no paid employees.

## Events that do not occur at the workplace

Notifiable incidents, notifiable extended absences and notifiable suicides (including attempted suicides) may occur away from the workplace and still be work-related. PCBUs must make a judgement on whether to notify the WHS regulator based on the information available. If it is connected to the worker's work or workplace, it must be notified. If in doubt, seek advice from the WHS regulator. See the scenarios below.

**Table 2: Scenarios for events happening away from the workplace**

**Note:** The scenarios in this table are provided for guidance only. They are not exhaustive and whether notification is required will depend on the specific circumstances.

### ✓ Notifiable

A worker is seriously injured in a car crash while driving home from work after falling asleep while driving. The worker was fatigued after having worked 60 hours over the week, with insufficient time to sleep prior to their last shift.

*There is a causal link between work-related fatigue and the car crash and resulting injuries, so it must be notified.*

A lawyer is followed home from Court by a client who aggressively threatens them with a bat while they exit their car. The lawyer has a reasonable belief that, at the time the threat is made, the person intended to carry out the threat, and had the means to do so, and it poses a serious risk of psychological harm.

*There is a causal link to the work being performed by the worker, so it is a notifiable incident.*

A worker reports non-consensual sexual touching by another participant during a training day organised by their employer. Attending the training was part of the worker's role. The worker is exposed to a serious risk of psychological harm.

*The incident occurred away from the worker's usual workplace, however there is a causal link to the work being performed by the worker, so it is a notifiable incident.*

A chemical supply business sends chemicals to a client's home. The chemicals are mislabelled and poor packaging leads to a spill when opening the package. The client is overcome by fumes and requires medical treatment and informs the PCBU of the incident.

*There is a causal link between the work (supplying and shipping chemicals) and the incident, so it must be notified.*

A worker is stalked and threatened with serious violence by a person known to be a disgruntled customer. The worker has a reasonable belief that, at the time the threat is made, the person intends to carry out the threat, and has the means to do so, and it poses a serious risk of psychological harm.

*The incident occurred outside work hours and not at a workplace, however there is a causal link between the worker's work and the incident, so it must be notified.*

A worker dies by suicide at a public place while wearing their work uniform (on a non-working day and away from the workplace).

*Wearing their uniform without another clear reason for doing so suggests the suicide may be linked to work. As such, the suicide must be notified.*

A worker receives repeated abusive messages to their personal social media from a work client. The worker develops anxiety and is signed off work for 3 weeks by their doctor, who notes the bullying as a contributing factor to the anxiety.

*The bullying occurred outside work hours and not at the workplace, however there is a causal link to the worker's work. The extended absence is work-related and must be notified.*



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### Other people at the workplace

Other people at the workplace, such as clients, customers, visitors or members of the public, may be involved in incidents that must be notified to the WHS regulator.

For example:

- A shower chair collapses under a hospital patient which causes a serious laceration (notifiable incident – ‘serious injury’).
- A member of the public accesses a secure area and falls into a deep unguarded trench. While they did not suffer injuries, it is a notifiable ‘dangerous incident’.
- During a robbery at a service station, staff are able to securely retreat behind barriers. A customer is physically assaulted (notifiable incident – ‘violent incident’).
- A student is hit by a car during a school excursion, requiring immediate treatment as an in-patient in hospital (notifiable incident – ‘serious injury’).

Suicides and attempted suicides of ‘other people’ in relation to particular workplaces are also notifiable. See [section 3.4](#).

### 1.3 Identifying what requires notification

PCBUs are likely to need systems to identify and follow up on events that may be relevant to fulfilling their notification duties. This applies to events involving both workers and other people at the workplace.

In practice, this means PCBUs should:

- have systems in place to monitor, report and assess events occurring in connection with their business or undertaking
- be aware of the elements that trigger notification, for example:
  - whether the incident involves a serious injury or illness (as defined in section 36 of the model WHS Act), and
  - whether the event arises from the conduct of the business or undertaking or is linked to work.

PCBUs are not expected to conduct investigations to determine causation or legal liability before notifying. If in doubt, contact your WHS regulator for advice.

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## 2. Notifiable deaths



A death arising from the conduct of the business or undertaking must be notified to the WHS regulator. This may include:

- the death of a worker or another person (such as a client, customer or member of the public), and
- a death outside the usual workplace or normal working hours.

A death which has no reasonably apparent link to the work, workplace or work environment is not notifiable. For example, ordinarily the death of a worker from a heart attack or stroke due to a non work-related medical condition is not notifiable.

However, PCBUs should consider whether the work environment or work tasks may have been a contributing factor. For example, if a worker dies from a heart attack after an extended period of working in heat or following prolonged work-related stress.

Some medical conditions linked to work or the workplace may also not be immediately apparent (e.g. due to exposure to a substance causing a long-term health issue) which may result in death.

Work-related suicides (or suspected suicides) must also be notified to the WHS regulator—see [section 3](#).



Notifiable deaths must be notified immediately after the PCBU becomes aware of the incident. Failure to notify is a serious offence.

**Table 3: Workplace death scenarios**

**Note:**

- *The scenarios in this table are provided for guidance only. They are not exhaustive and whether notification is required will depend on the specific circumstances.*
- *The scenarios listed under 'Not notifiable' are typically excluded as (based on the information available to the PCBU) there is no known link to work or the workplace.*

 **Notifiable**

A worker dies at the work site after being struck by mobile plant.

A motor vehicle accident causes the death of a delivery driver during work hours; a motor vehicle accident causes the death of a tradesperson while driving to pick up work supplies; a worker driving between client sites is involved in a serious road collision and dies after having been hospitalised; a pedestrian is killed by a car being driven by a worker while they are working.

Scaffolding collapses and causes the death of a passer-by.

A retail worker is physically assaulted by a customer during an attempted robbery and dies later in hospital from their injuries.

A volunteer rural firefighter dies of a suspected heart attack after their shift, having worked in extreme temperatures over a long shift.

A tourist dies on a paid hiking trip after falling from a cliff edge.

 **Not notifiable**

A worker dies in a traffic accident on their drive to work. Driving was not part of their work and it was not likely they were suffering any work-related conditions (such as fatigue).

A customer at a café has a heart attack and dies at the site. There is no known link to the work carried out at the site or the work environment.

An office worker dies following a stroke at work. There were no indications of any work-related factors that could have contributed to a stroke.

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

# 3. Notifiable work-related suicide and attempted suicide

 **Content advice: Some people may find parts of this content confronting or distressing. Please carefully consider your needs when reading the following information. If this material raises concerns for you, contact Lifeline on [13 11 14](#), or see other resources listed in [Appendix B](#).**

Safe Work Australia acknowledges the individuals, families and communities affected by workplace deaths, injuries and illnesses.

## Section 35B What is a *notifiable suicide*

(1) In this Act, *notifiable suicide* means a death by suicide, or suspected suicide, or an attempted, or suspected attempted, suicide:

(a) of a worker:

- i. that occurs at a time when the worker is not on leave and would ordinarily be working; or
- ii. that occurs at, or in the immediate vicinity of, the worker's workplace or another workplace managed or controlled by the same person conducting the business or undertaking for which the worker works; or
- iii. that occurs in relevant accommodation; or
- iv. that makes use of 1 or more things available to the worker because of the worker's work or at the worker's workplace; or
- v. that occurs when the worker is wearing the worker's usual work uniform at a time or in a place the worker would not ordinarily be expected to wear the uniform; or
- vi. who had or has a psychological injury or illness arising from the conduct of the business or undertaking; or
- vii. who is, or has been, exposed to frequent, prolonged or severe psychosocial hazards because of the worker's work or at the worker's workplace; or
- viii. that occurs in circumstances where the person conducting the business or undertaking for which the worker works has notice of a link with the worker's work or workplace, or is otherwise aware of a link with the worker's work or workplace; or

(b) of a person other than a worker that takes place at a workplace where suicide is a reasonably foreseeable risk due to the nature of the workplace and the presence of 1 or more physical hazards that could be used in a suicide.

(2) In this section:

*relevant accommodation* means the following:

- (a) accommodation owned by, or under the management or control of, the person conducting the business or undertaking for which the worker works;
- (b) accommodation otherwise supplied or paid for, whether directly or indirectly, by the person conducting the business or undertaking for which the worker works.

## In this section:

<a href="#">3.1 What is suicide and attempted suicide?</a>	→
<a href="#">3.2 Notifying suicide or attempted suicide</a>	→
<a href="#">3.3 Suicide or attempted suicide of a worker – the link to work</a>	→
<a href="#">3.4 Making enquiries and protecting privacy</a>	→
<a href="#">3.5 Suicide or attempted suicide of other persons – the link to work</a>	→

 The duty to notify certain suicides and attempted suicides was introduced in the model WHS Act in 2025. Notification requirements may vary between jurisdictions. PCBUs should check with their WHS regulator to confirm whether this duty applies in their state or territory.

## 3.1 What is suicide and attempted suicide?

Suicide is generally described as the act of voluntarily and intentionally ending one's own life.

Attempted suicide is generally described as an act in which a person voluntarily and intentionally tries to end their own life, but it does not result in death (for example because the suicide attempt was survived or interrupted). This differs from non-suicidal self-injury (self-harm) which is generally described as an act of inflicting physical injury or pain on oneself, but without the intent of ending one's life. The notification requirements regarding suicide and attempted suicide do not require notification of self-harm—however, self-harm may be notifiable if it meets other notification criteria, such as a serious injury or illness arising from the conduct of the business or undertaking (see [Section 4](#) for information on serious injuries and illnesses).

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

## 3.2 Notifying suicide or attempted suicide

While notifiable incidents and notifiable extended absences must arise from the conduct of the business or undertaking, this is not the case for notifiable suicides or attempted suicides of workers. The suicide or attempted suicide of a **worker** must be notified to the WHS regulator if specific factors or circumstances are present which indicate a potential link to work. These circumstances relate to:

- where and when the suicide or attempted suicide occurred, including at work, in work accommodation or while the worker was meant to be at work
- the use of lethal means from work, or
- links to work harm, events or circumstances.

These factors are set out in [section 3.3](#).

The suicide or attempted suicide of a **person other than a worker** must be notified where the suicide or attempted suicide occurred at a workplace and the risk was reasonably foreseeable due to the nature of the workplace and there was one or more physical hazards that could be used in a suicide at the workplace. See [section 3.4](#) for more information.



### When is notification required?

PCBUs must notify the WHS regulator as soon as they become aware of:

1. a death by suicide or an attempted suicide (or suspected suicide or attempted suicide), and
2. the necessary link to work (see [section 3.3](#)).

PCBUs should not wait for a full police or Coronial investigation before reporting the suicide or attempted suicide, even if the full circumstances are not yet clear (including certainty about the cause of death).

In some situations, a PCBU may become aware of a suicide or attempted suicide around the time it occurs, but not aware of the circumstances that creates the necessary link to work until some time later. Notification is required when the PCBU becomes aware of **both** the suicide or attempted suicide and the link to work (see [section 3.3](#)).

PCBUs should not investigate the circumstances of a suicide or attempted suicide related to the individual involved, for example by exploring intent or a worker's personal or medical history (see [section 3.4](#)).



While the notification of notifiable incidents and notifiable extended absences is required when they 'arise from the conduct of the business or undertaking,' this test does not apply to notifiable suicides or attempted suicides of workers. Notification of a suicide or attempted suicide is required only when there are prescribed circumstances for workers, or readily identifiable factors for persons other than a worker, that may indicate a potential link to work.

**Notification does not mean that the PCBU has breached their WHS duties.** Coronial or other investigations may determine that a suicide was not related to work.

### Coordinating with other authorities

A suicide or attempted suicide may involve other authorities such as police, emergency services or the Coroner. While these agencies may be involved in responding to or investigating the suicide or attempted suicide, **notifying police or other authorities does not replace the duty to notify the WHS regulator.**

PCBUs must not interfere with police or coronial investigations. PCBUs must:

- preserve the site and any relevant evidence so far as is reasonably practicable
- cooperate with other agencies while ensuring WHS duties are met, and
- keep relevant records.



If unsure about how to manage coordination with other authorities, [contact the WHS regulator](#) for advice.

## 3.3 Suicide or attempted suicide of a worker – the link to work

A PCBU must notify the WHS regulator of a worker's suicide (or suspected suicide) or attempted suicide (or suspected attempted suicide) if any of the following potential links to work are present and known:

### Location, uniform or timing:

- It occurred at (or in the immediate vicinity of) the worker's workplace – either at the usual workplace or at another workplace managed or controlled by the PCBU (e.g. headquarters or a remote workplace).
- It occurred while working, including from home or another location.
- It occurred when the worker is not on leave and would ordinarily be working (e.g. if they were unexpectedly absent from their shift).
- It occurred in work accommodation provided by the PCBU or arranged for work purposes (e.g. hotel while travelling to meet clients).
- The worker was wearing their usual work uniform at a time or in a place they would not ordinarily be expected to wear the uniform.

### Means used:

- The worker used one or more things available because of their work or at the workplace, such as a work implement or tool, weapon, medication or a work vehicle.

### Links to work harm, events or circumstances:

- The worker had or has a psychological injury or illness (e.g. anxiety, depression, post-traumatic stress disorder or sleep disorder) arising from the conduct of the business or undertaking. This can include psychological harm resulting from exposure to the suicide or attempted suicide of another person at work.
- The worker is, or has been, exposed to frequent, prolonged or severe psychosocial hazards due to their work or the workplace. For example, consider how often the exposure occurred (e.g. daily, weekly or occasionally), how long the exposure lasted (e.g. hours or months) and could the exposure reasonably be expected to cause serious psychological harm, such as anxiety or depression.
- The PCBU has notice, or is otherwise aware of a link to work, for example through a suicide note or volunteered testimonies from family, friends, co workers, witnesses or others.



### What if the cause of death or reasons are uncertain?

Notification is required if work-related suicide or attempted suicide is suspected. The cause of, or reasons for, a suicide or attempted suicide does not need to be certain or confirmed.

If a PCBU is aware of a suicide or attempted suicide which meets the requirements for reporting, then a notification must be made. However, a notification should not be made based on rumours or speculation of an unexpected death without other information which suggests an identifiable link to work.

Consider if information suggests the suicide or attempted suicide could not have occurred by accident, chance or misadventure. For example, the person would have needed to climb over barriers or bypass safety measures and was accessing an area that offered no reasonable alternative purpose (e.g. to obtain a more scenic photograph or place graffiti), or the person deliberately acquired tools or substances not typically available or used in a way that was not easy to explain in the circumstances.

### 3. Notifiable work-related suicide and attempted suicide

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

**Table 4a: Worker suicide or attempted suicide scenarios - Location, uniform or timing**

**Note:** The scenarios in the following tables are provided for guidance only. They are not exhaustive and whether notification is required will depend on the specific circumstances.

Example	Notifiable?
A worker dies by suicide at the worksite.	 <b>Notifiable</b> Due to the location of the suicide.
A fly-in-fly-out (FIFO) worker has died by suicide in their work accommodation.	 <b>Notifiable</b> Due to the location of the suicide in work accommodation.
The PCBU learns that a worker is in hospital following a suicide attempt on the weekend. Another worker who is friends with the injured person says they were found wearing their emergency services uniform, even though they hadn't worked that day.	 <b>Notifiable</b> Wearing work uniform at the time of the attempted suicide, without a clear reason for doing so, indicates a link to work.
A construction worker dies by suicide at home, after work. They were wearing the high visibility clothing that they wear to work. The worker often wore high visibility workwear at home.	 <b>Not notifiable</b> There is no known link to work based on the information available to the PCBU.

**Table 4b: Worker suicide or attempted suicide scenarios - Means uses**

Example	Notifiable?
A healthcare worker attempts suicide by drug overdose in their home outside of work hours. There were no links to working conditions and the worker was known to be facing significant personal challenges. The PCBU identifies medication is missing and CCTV footage shows the worker took it. The PCBU believes the stolen medication was likely used in the suicide attempt based on available information.	 <b>Notifiable</b> Due to the suspected use of medication accessed through work.

**Table 4c: Worker suicide or attempted suicide scenarios - Links to work harm, events or other circumstances**

Example	Notifiable?
A worker has died but the circumstances are unclear. The worker was young and the PCBU had no knowledge of any pre-existing health conditions. Police suspect the death is by suicide. Other workers disclose that the deceased worker had told them of being frequently bullied at work.	 <b>Notifiable</b> Due to exposure to frequent, prolonged or severe psychosocial hazards at work.
A worker dies by suicide at home. The HSR tells the PCBU they have been notified of workers experiencing significant work-related stress due to high workloads and long hours.	 <b>Notifiable</b> Due to exposure to frequent, prolonged or severe psychosocial hazards at work.
A worker dies by suicide away from the workplace. A colleague later mentions they had posted on social media about their struggles with prolonged isolation due to remote work.	 <b>Notifiable</b> Due to exposure to frequent, prolonged or severe psychosocial hazards at work.

### 3. Notifiable work-related suicide and attempted suicide

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

**Table 4d: Worker suicide or attempted suicide scenarios - Not work-related**

Example	Notifiable?
A worker has recently gone through a relationship breakdown and dies by suicide at home.	 <b>Not notifiable</b> There is no known link to work based on the information available to the PCBU.
A young worker with no known health issues dies over the weekend. The family provides no information to the PCBU about the cause of death, but there is speculation amongst work colleagues that it might be suicide.	 <b>Not notifiable</b> Not notifiable unless further information becomes available to the PCBU to indicate it was linked to work.

## 3.4 Making enquiries and protecting privacy

PCBUs must notify the WHS regulator of a suicide or attempted suicide when they become aware of both the event and a potential link to work, based on information that is reasonably known or available at the time.

PCBUs should not investigate the personal circumstances of the individual involved. This includes seeking information from the worker, their family or others about intent, medical history, or private matters. **PCBUs should prioritise preventing any further harm or trauma. Treat these incidents with the utmost sensitivity and confidentiality.**

PCBUs should rely on:

- information already available (e.g. incident reports, complaints, HSR feedback)
- observable factors (e.g. location, uniform, use of work-related items, known exposure to psychosocial hazards)
- volunteered information from colleagues or others, as workers may choose to speak with the PCBU or another appropriate person about a suicide or attempted suicide (but there is no obligation on workers to do so), and
- medical certificates or documentation.

It is the role of the WHS regulator to assess the information and any evidence and determine if workplace factors may have contributed to the suicide or attempted suicide. PCBUs should not delay notification due to a lack of clear information. If a PCBU becomes aware of new information that identifies a link to work, they must notify the WHS regulator at that time.

If a PCBU learns of a worker's suicide or attempted suicide but there is no apparent or known potential link to work, the PCBU should not commence investigations into whether or not the suicide or attempted suicide is linked to work.

Any personal information relating to individuals involved in suicides or attempted suicides should be handled in accordance with applicable privacy laws to protect the rights of individuals. See [section 8.12](#) for further information.

Protecting confidentiality of individuals is particularly important when notifying the WHS regulator of a notifiable suicide or attempted suicide to avoid further psychological harm. A respectful and supportive conversation with relevant people about notification obligations can help maintain trust and transparency, particularly when the notification relates to the worker's own experience.

## 3.5 Suicide or attempted suicide of other persons – the link to work

The notification requirement also extends to cases where a person other than a worker attempts suicide or dies by suicide at a workplace where the risk of suicide was reasonably foreseeable due to the nature of the workplace and the presence of one or more physical hazards that could be used in a suicide. For example, high-risk settings such as:

- healthcare facilities e.g. hospitals, mental health units and rehabilitation centres
- custodial settings e.g. prisons or detention centres, and
- other high-risk environments that are workplaces where suicide may be a reasonably foreseeable risk (e.g. access to a shooting range).

Attempted suicide is also notifiable. However, the notification requirement does not include situations where self-inflicted injuries do not have a high risk of death, or where a suicide attempt could not reasonably have resulted in death due to control measures in place.

See example scenarios in [Table 5](#).

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### Reasonably foreseeable risks due to the nature of the workplace

A PCBU’s risk management process should determine whether there is a reasonably foreseeable risk of a suicide occurring at a workplace, and if so, whether there are physical hazards present that could be used to do so (e.g. depending on the safety measures that are in place). The meaning of ‘reasonably foreseeable’ is something that an ordinary person could anticipate or expect to happen (e.g. if there was some prospect of the event happening). Whether there is a reasonably foreseeable risk of suicide will depend on the specific facts, however the risk of suicide may be reasonably foreseeable if the risk is not far-fetched (e.g. if a suicide has happened before in the workplace).

The phrase ‘due to the nature of the workplace’ is intended to capture workplaces where a non-worker at the workplace has an inherently greater likelihood of attempting suicide. This may be due to:

- the workplace supporting people who have a predisposition to mental ill-health (e.g. mental health in-patient facility) or at otherwise increased risk (e.g. detained person), or
- certain workplaces which may attract a higher likelihood of individuals attempting suicide due to their physical features, such as access to heights or locations that could be lethal, particularly when a death has occurred at that site in the past.

**Table 5: Other persons - suicide or attempted suicide scenarios**

**Note:** The scenarios in the following table are provided for guidance only. They are not exhaustive and whether notification is required will depend on the specific circumstances.

Example	Notifiable?
A detainee in a custodial facility who is known to be at risk of suicide is found unresponsive after having attempted suicide using a hanging point. Staff intervention prevents the person’s death.	<p> <b>Notifiable</b></p> <p>There was both a reasonably foreseeable risk of suicide due to the nature of the workplace and the presence of a physical hazard that could be used in suicide.</p>
A hospital patient dies by suicide. They were left alone and were able to access lethal medications.	<p> <b>Notifiable</b></p> <p>There was both a reasonably foreseeable risk of suicide due to the nature of the workplace and the presence of a physical hazard that could be used in suicide.</p>
A patient at a mental health facility attempts suicide by trying to use a potential hanging point. However, risks were well known and effectively controlled (‘hanging points’ were designed to break under weight) and the method used could not have resulted in a death. The self-inflicted injuries were minor.	<p> <b>Not notifiable</b></p> <p>Control measure prevented the person’s attempt from being capable of resulting in death.</p> <p>The PCBU should still undertake a review of its risk management processes to ensure risks continue to be managed appropriately.</p>
A member of the public tries to access a restricted area to jump from a height, but robust control measures (e.g. locked barriers) prevent this from occurring.	<p> <b>Not notifiable</b></p> <p>Control measures prevented the person’s attempt from being capable of resulting in death.</p> <p>The PCBU should still undertake a review of its risk management processes to ensure risks are managed appropriately.</p>

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

## 4. Notifiable serious injuries and illnesses

### Section 36 What is a *serious injury or illness*

(1) In this Part, *serious injury or illness*, in relation to a person, means:

(a) an injury or illness that would ordinarily require the person to have immediate treatment as an in-patient of a hospital, whether or not treatment is available or sought; or

(b) any of the following injuries or illnesses that would ordinarily require the person to have immediate treatment, whether or not treatment is available or sought:

- i. the amputation of a body part;
- ii. a serious eye injury;
- iii. a serious burn;
- iv. the separation of skin from an underlying tissue, such as degloving or scalping;
- v. a spinal injury, including a fracture of 1 or more vertebrae;
- vi. a fracture of the pelvis, the skull or other facial bones;
- vii. another serious bone fracture;
- viii. a serious crush injury;
- ix. the loss of a bodily function;
- x. serious lacerations; or

(c) a serious brain injury or illness resulting from:

- i. a significant blow, knock or other shock to the person's head, whether or not immediate treatment is sought; or
- ii. repeated blows, knocks or other shocks to the person's head; or

(d) an injury or illness for which the person seeks treatment from a relevant registered health professional within 48 hours after exposure to a substance; or

(e) an injury or illness prescribed by the regulations.

(2) The regulations may prescribe types of injury or illness that are not serious injuries or illnesses for this Part.

(3) In this section:

*relevant registered health professional* means a person registered under the *Health Practitioner Regulation National Law* in any of the following health professions—

- (a) medical;
- (b) nursing;
- (c) paramedicine.

### In this section:

4.1 Injuries and illnesses which are notifiable	→
4.2 Injuries and illnesses which are generally not notifiable	→
4.3 Injuries and illnesses requiring immediate treatment – hospital in-patient	→
4.4 Serious injuries requiring immediate treatment	→
4.5 Serious brain injuries from blows, knocks or other shocks to the head	→
4.6 Exposure to a substance	→
4.7 Prescribed serious illnesses – infections and zoonoses	→

### 4.1 Injuries and illnesses which are notifiable

Serious injuries and illnesses arising from the conduct of the business or undertaking must be notified to the WHS regulator.

This means an injury or illness of a person:

- that would ordinarily require the person to have immediate treatment as an **in-patient of a hospital**, whether or not treatment is available or sought
- that would ordinarily **require immediate treatment for specific illnesses and injuries** listed in Table 6, whether or not treatment is available or sought
- **a serious brain injury** resulting from a significant blow, knock or other shock to the person's head (either once-off or from happening repeatedly), or
- which requires the person to seek treatment from a relevant registered health professional within 48 hours of **exposure to a substance**.



Whether an injury or illness is 'serious' will depend on the relevant circumstances. If in doubt about whether an injury or illness should be notified, [contact your WHS regulator.](#)



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

## 4.2 Injuries and illnesses which are generally not notifiable

Injuries and illnesses which can be treated with basic first aid are usually not notifiable, unless the circumstances indicate a notifiable dangerous incident occurred.

Injuries or illnesses resulting solely from pre-existing medical conditions unrelated to work, such as low blood pressure, diabetes or epilepsy, are usually not notifiable incidents. However, an incident may be notifiable if there is an exacerbation of an injury, illness or condition arising from the conduct of the business or undertaking. For example, strobing lights leading to an epileptic seizure that results in a serious injury.

## 4.3 Injuries and illnesses requiring immediate treatment – hospital in-patient

All injuries and illnesses arising from the conduct of the business or undertaking that require (or would usually require) a person to be admitted to hospital for immediate treatment are notifiable, even if the person is only admitted for part of a day.



### What is a hospital?

Generally, a hospital is a facility equipped to provide comprehensive medical treatment (such as surgical procedures), has specialised equipment and provides continuous care by healthcare professionals.

In some cases, treatment may only be available through field hospitals or medical facilities in remote areas or on vessels.

### Hospital admissions process

The admissions process typically begins with health professionals making an initial assessment of whether hospital admission is required.

In-patient admission indicates the injury or illness is a higher level of severity, complexity or risk which requires close monitoring, surgery or specialised care.

It is important to note that hospital admission processes may vary. The test for notification is whether the injury or illness would ordinarily require in-patient admission.

## When treatment is not available or sought

In some circumstances, admission to hospital is not available or is not sought. This may happen due to:

- remote or regional areas not having a hospital or facility equipped to handle the injury or illness, or if a field/site medic was able to treat the injury
- overcrowding at hospitals, leading to prioritisation of more critical cases, or
- a person refusing hospital admission, for example due to personal or cultural reasons and norms.

In these cases, the key consideration for the PCBU is whether hospital admission would ordinarily have been required. If so, the incident must be notified, even if the worker was not admitted. This ensures PCBUs meet their WHS duties while accounting for barriers to hospital admission.

PCBUs are not expected to make a clinical judgement. Instead, they should consider:

- the type of injury or illness (e.g. deep laceration, suspected spinal injury, serious burn)
- whether a reasonable person would expect admission to be required based on the nature and seriousness of the injury or illness
- any available information from paramedics, medical professionals, or standard treatment protocols
- whether the injury or illness is listed in Table 6 or otherwise described in this handbook as meeting the threshold for notification.

For example, the following scenarios illustrate incidents where a reasonable person would expect hospital admission to be required, but it was not available or sought:

- A worker receives an electric shock while performing maintenance at a remote site. They are dazed and report chest discomfort and muscle pain. Due to the location, in patient hospital admission was not immediately available.
- A worker is struck in the abdomen by a heavy falling object and experiences severe pain. The worker refuses to go to hospital. The nature and location of the injury (potential internal bleeding) would ordinarily require hospital admission for observation and treatment.
- A worker is exposed to a high concentration of chlorine gas at work. They experience coughing, chest tightness and shortness of breath but do not go to hospital. Inhaling toxic gases can cause delayed respiratory complications and typically warrants hospital admission for observation and treatment.



If in doubt, [contact the WHS regulator](#) and clarify if the incident meets the notification threshold.

The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### Psychological injuries and illnesses

It is not just physical injuries or illnesses which require hospital admission that are notifiable. Psychological injuries and illnesses, such as anxiety, depression, post-traumatic stress disorder and sleep disorders, can result in in-patient admission to hospital. For example, a worker experiencing a serious psychological reaction to a workplace assault may be admitted to hospital for stabilisation and treatment.



#### When should the incident be notified?

The PCBU must notify the WHS regulator as soon as they are aware of the incident and it is evident that in-patient treatment in a hospital is required. Admission to a hospital can be delayed due to various factors, including availability of resources or transport challenges. The requirement to notify is based on the need for in-patient treatment, not the timing of admission to the hospital.

### In-patient or out-patient treatment in a hospital

Being an out-patient of a hospital means receiving medical treatment or consultation without being admitted as an in-patient (for example being treated in the Emergency Department and then sent home the same day).

Out-patient (or non-admitted) treatment does not usually require notification to the WHS regulator, unless the injury or illness is one of the specific types listed in section 4.4 and requires immediate treatment (such as serious eye injuries and serious lacerations).

In-patient care requires intensive medical supervision and treatment, whereas out-patient (or non-admitted) cases are often less severe and can be managed with a single or short-term treatment, allowing the person to safely return to work or home on the same day.

 If a worker is admitted as an in-patient, this must be notified to the WHS regulator, regardless of the type of injury or illness.

### Notification required under other criteria

While a person may not be admitted as an in-patient to a hospital, the injury or illness may still need to be notified to the WHS regulator if it meets other notification criteria. For example, it may be a serious injury which requires immediate treatment (see [section 4.4](#)), or it may lead to an extended absence period from work (see [section 7](#)).

## 4.4 Serious injuries requiring immediate treatment

The model WHS Act lists the following serious injuries arising from the conduct of a business or undertaking which must be notified to the WHS regulator where they require immediate treatment (whether or not treatment is available or sought):

- amputation of a body part
- serious eye injury
- serious burn
- separation of skin from an underlying tissue (such as degloving or scalping)
- spinal injury, including fracture of one or more vertebrae
- fracture of the pelvis, skull or other facial bones
- serious bone fracture
- serious crush injury
- loss of a bodily function
- serious laceration.

 See [Table 6](#) for examples.

While an injury may not meet the threshold of a serious injury, it may still be a dangerous incident or other notification criteria may apply (e.g. notifiable extended absence).



#### What is 'treatment'?

'Treatment' is not a term that is defined for notification requirements, so the plain or ordinary meaning of the word applies. Generally, 'treatment' is medical care that requires the expertise of a doctor, nurse or paramedic. It is care beyond simple first aid.

The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### When treatment is not available or sought

The requirement for ‘immediate treatment’ is an objective test. It includes an injury for which a person would ordinarily require immediate treatment, whether or not that treatment was available or sought.

For example, the following scenarios illustrate injuries where immediate treatment was not provided, but it could reasonably be considered a notifiable incident as immediate treatment of the injury was objectively required:

- A worker is working alone in a remote area and sustains a deep leg cut. With limited mobility and no phone reception, they cannot call for help and must wait hours for a scheduled check-in before they can request assistance. Due to the remote location, immediate treatment is not possible.
- A worker drops a heavy weight on their foot but does not seek immediate treatment as they think their steel-capped boots have protected them from serious injury. However, when the worker later takes off their boots it becomes apparent the foot is badly broken and requires treatment.
- A person does not accept immediate treatment for a serious injury because of their religious beliefs or cultural norms, despite medical advice that the treatment is necessary.

**Table 6: Serious injuries requiring immediate treatment examples**

**Note:**

- *The examples in this table are provided for guidance only on what may be a notifiable serious injury or illness. They are not exhaustive and whether notification is required will depend on the specific circumstances.*
- *The examples listed under ‘Does not include’ are typically excluded because they would not be considered ‘serious’ in usual circumstances due to the level of treatment required, such as basic first aid.*

#### Amputation of a body part

**✓ Includes**

Amputation of any body part, such as an arm or leg, hand, foot or a finger, toe or ear.

Amputation includes both a traumatic amputation injury at the time of an incident, and surgical amputation following an incident due to the injuries sustained.

**✗ Does not include**

The loss of a nail or cutting the very tip of a finger, resulting in minor tissue damage.

### General factors to help determine if the injury is ‘serious’

In some cases, it may be challenging to make a judgement as to whether the injury is serious enough to require notification to the WHS regulator, particularly in circumstances where treatment is not immediate or not sought.

PCBUs are not expected to make a clinical judgement, but should consider factors such as:

- the location of the injury and its impact on vital organs or a main artery, such as the abdomen, head, face, neck, groin or wrists
- significant blood loss
- damage to tendons, ligaments, nerves or muscles
- exposed body parts such as underlying tissue, muscle or bone
- the likelihood of any poisoning or toxicity
- the duration of symptoms after the incident
- the amount of time off work needed or changes to work duties while recovering, and
- if it will require follow-up medical care or close monitoring due to the risk of infection, pain management or complications.

#### Separation of skin from an underlying tissue

such as degloving or scalping

**✓ Includes**

- **Open degloving:** Open, or external, degloving is when a section of skin and tissue is torn away, leaving muscles, tendons, connective tissue, and sometimes bones underneath exposed. The skin may be completely removed from the body or partially attached.
- **Closed degloving:** Closed (or internal) degloving injuries are internal wounds that happen when the skin and fat are torn apart from deep layers of muscle and connective tissue. The top layers of skin may show no major signs of injury other than pain, bruising and swelling. The injury might not become obvious until the skin turns purple or black.
- **Scalping:** A scalping injury is where the scalp (the skin and tissue on the top of the head) is torn or partially or completely removed from the underlying skull and tissues. It involves significant bleeding and exposure of the underlying tissue or skull.

**✗ Does not include**

- Superficial or minor scrapes, abrasions or cuts on the scalp or skin which can be treated with basic first aid or minor suturing without complications.
- Injuries where hair follicles are damaged or hair is pulled out, but the skin and soft tissue remain intact without any tearing or removal.

### Serious eye injury

#### ✓ Includes

An injury that results in, or is likely to result in, the loss of the eye, total or partial loss of vision, or any injury that requires eye surgery. For example:

- Object penetrating the eye: Objects like metal fragments, glass, wood chips or other sharp materials penetrating the eye. This can cause deep cuts which require surgical intervention due to the high risk of infection and potential vision loss.
- Exposure to harmful substances: Chemicals (such as strong acids, alkalis or other caustic materials), gases or vapours can cause burns or other serious eye damage.
- Thermal or radiation burns: Exposure to intense heat or UV radiation (such as welding arcs or lasers) can cause serious burns or retinal damage, potentially leading to partial or total vision loss.
- Blunt force trauma to the eye: A significant impact to the eye area, such as being struck by an object, can result in bleeding within the eye or other damage. These injuries may not always involve penetration, but can still lead to severe or permanent vision loss.
- High-pressure fluid injection: Pressurised fluid, such as from hydraulic or industrial equipment, which enters the eye can cause extensive internal damage and a significant risk of vision loss.

#### ✗ Does not include

An eye injury that can be resolved with basic first aid such as rinsing the eye or applying an ice pack. For example:

- Minor scratches or abrasions: Superficial injuries to the eye surface that can be treated with basic first aid, over-the-counter remedies or eye drops and do not cause permanent damage.
- Non-penetrating foreign bodies: Small foreign objects such as dust that can be removed without causing damage to deeper structures, typically treated with a simple eye wash.
- Temporary irritation or redness: Irritation caused by substances like smoke or pollen that can be treated with over-the-counter remedies or eye drops and do not result in permanent damage.
- Minor chemical exposure: Limited exposure to non-corrosive substances (e.g. mild soap) that cause temporary discomfort but are not harmful to the eye once flushed out.

### Serious burn

#### ✓ Includes

A deep or extensive burn to any part of the body, but in particular burns to the face, eyes, hands, feet or respiratory system and which could affect vital functions like breathing or movement in the long-term.

Some signs of serious burns include burns that cover over 10% of the whole body's total surface area, begin swelling very quickly and burns that look charred or have patches of white, brown or black. These types of burns may require treatment such as intensive medical monitoring, surgery, a compression garment or a skin graft.

Sources of serious burns may be from heat (e.g. fire, steam, boiling water, molten metal), radiation, electricity and hazardous chemicals. For example:

- Third-degree burns (full-thickness burns): Burns that destroy all layers of the skin, potentially affecting deeper tissues, such as muscle or bone, and may require skin grafts or extensive surgical intervention. These burns typically result in permanent damage to the affected area and carry a high risk of infection.
- Second-degree burns (partial-thickness burns) which are larger than a 20 cent coin. These burns cause blisters and deep tissue damage.
- Electrical burns: Burns caused by electrical current (e.g. an electric shock) that can affect both the skin and deeper tissue. These burns often have a risk of internal injury.
- Chemical burns: Burns caused by exposure to hazardous chemicals (e.g. acids, alkalis or solvents) that cause deep tissue damage. Additional complications may occur such as chemical toxicity or infection.

#### ✗ Does not include

A burn that is treatable with simple first aid, such as cooling the burn, applying burn ointment and covering the area with a bandage. For example:

- Minor superficial burns: Burns affecting only the outermost layer of skin, causing redness and mild pain but no significant tissue damage.
- Small second-degree burns (superficial partial-thickness burns). They can form blisters but are confined to a small area and generally can be managed without the need for specialised care (noting this is also dependent on the part of the body affected).

## 4. Notifiable serious injuries and illnesses

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### Spinal injury

including fracture of one or more vertebrae

#### Includes

Injury to vertebrae including the discs and spinal cord.

- A fracture (including a hairline fracture) in any vertebrae, with or without any limb weakness or paralysis.
- Dislocation of vertebrae: When one or more vertebrae are displaced from their normal position, causing potential instability in the spine.
- Spinal cord compression: Injury causing the vertebrae to compress the spinal cord, potentially leading to loss of function or sensation below the injury.
- Penetrating injury to the spinal area, such as from a sharp object, which impacts the spine or vertebrae.

Serious spinal injury may be apparent prior to medical diagnosis by limited or loss of movement and sensation, referred pain to limbs and severe neuropathic pain (nerve pain).

#### Does not include

- Strains, sprains, or minor injuries to muscles, ligaments, or tendons around the spine that do not involve fractured vertebrae or spinal cord damage.
- Herniated or bulging discs that do not require in-patient treatment in hospital or result in serious loss of bodily function.
- Surface injuries such as bruises or cuts that affect only the skin or soft tissue, with no damage to the vertebrae or spine.

### Serious bone fracture

 The duty to notify serious bone fractures was introduced in the model WHS Act in 2025. Notification requirements may vary between jurisdictions. PCBUs should check with their WHS regulator to confirm whether this duty applies in their state or territory.

#### Includes

- Fractures to facial bones such as the jaw or the skull.
- Fractures that necessitate surgical repair (for example with metal rods or plates to restore function) or lead to complications like infection or nerve damage.
- Bone fractures that cause significant blood loss due to damaged arteries or veins, or damage organs such as a broken rib puncturing a lung.
- Compound fractures where the bone breaks through the skin or into multiple pieces.
- Pelvic fractures.

#### Does not include

- Fractures that can be treated with a cast or splint without needing ongoing treatment or causing a permanent impairment. It is common for these fractures to be initially treated in a hospital, however not as an in-patient, unless surgery or specialised treatment is required.
- Hairline fractures (except those relating to the spine, head or pelvis), also known as stress fractures, which are often due to repetitive strain or minor trauma, that do not require hospitalisation or specialised care.

### Serious crush injury

 The duty to notify serious bone fractures was introduced in the model WHS Act in 2025. Notification requirements may vary between jurisdictions. PCBUs should check with their WHS regulator to confirm whether this duty applies in their state or territory.

#### Includes

Serious injuries from compression of a body part by a crushing force. This typically involves bleeding, bruising, swelling, bone fractures, intense pain or ongoing numbness.

For example:

- High-impact crush injuries to the torso or abdomen that damage internal organs, such as from being pinned between a vehicle and a wall.
- Multiple broken bones such as a hand crushed by heavy machinery, or a foot run over by a forklift.
- Compartment syndrome from crush injuries, which is a condition where intense pressure restricts blood flow and oxygen to muscles and nerves, potentially leading to tissue death.
- Injuries that result in substantial blood loss or internal bleeding, for example from a heavy load falling on a worker's chest.

#### Does not include

Minor crush injuries from brief entrapment that may result in bruising, swelling or "pins and needles" sensation, but do not cause fractures, nerve damage or significant tissue injury.

## 4. Notifiable serious injuries and illnesses



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### Loss of a bodily function

#### ✓ Includes

A loss of a bodily function may be temporary or permanent and may not be immediately apparent. For example:

- Loss of consciousness, such as from a head injury, inhaling toxic fumes or oxygen deprivation from incidents such as entrapment in confined spaces or drowning, dehydration or heat.
- Loss of sense of smell, taste, touch, hearing or vision either partially or completely, e.g. from exposure to a hazardous chemical.
- Significant loss of mobility, control or function of a part of the body, such as from a fall causing paralysis from a spinal injury, a torn ligament or crushed limb.
- An inability or severe impairment in being able to speak, such as a crush injury to the neck.
- Significant respiratory impairments or difficulty breathing, for example from being in a confined space with an airborne contaminant.
- Significant impairments in motor skills or cognitive function, for example from a head injury.
- Anaphylaxis from an allergic reaction.

#### ✗ Does not include

- A short fainting episode with quick recovery, typically due to minor events like standing in one position for too long (except where fainting is a sign of serious illness, such as from heat stroke).
- Minor muscle strains, sprains, simple fractures or dislocations where full mobility is expected to return.
- Minor allergic reactions that are managed with routine care and do not escalate into more severe symptoms.
- Gradual hearing loss over time due to long-term noise exposure, rather than an acute injury.

### Serious lacerations

#### ✓ Includes

Serious lacerations generally refer to deep puncture wounds or deep cuts.

Indicators to help determine the seriousness of a laceration include:

- length and depth of the laceration
- location of the laceration and how close it is to vital organs such as the abdomen, head, neck, groin, joints, wrists or a main artery
- severe bleeding that cannot be controlled with direct pressure
- damage to internal organs or other parts of the body, such as tendons, ligaments, nerves or muscles
- any short or long-term loss of bodily function caused or likely to be caused by the laceration
- serious contamination of the wound (an infection risk) – e.g. from animals, with a substance like a chemical or a foreign body lodged in the wound such as a nail, and
- the extent of suturing (stitches) required.

#### ✗ Does not include

- Punctures or cuts which are shallow and do not affect underlying tissue, muscles, nerves, tendons or bones, so they can heal without specialised medical care. These can usually be effectively treated with first aid measures like adhesive strips, bandages or medical glues.

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### 4.5 Serious brain injuries from blows, knocks or other shocks to the head

 The duty to notify serious brain injuries or illnesses sustained due to a blow, knock or other shock to the head which arise from the conduct of the business or undertaking was introduced in the model WHS Act in 2025. Notification requirements may vary between jurisdictions. PCBUs should check with their WHS regulator to confirm whether this duty applies in their state or territory.

This includes a brain injury or illness which is the result of a single incident or from multiple incidents over time (i.e. has resulted in a cumulative traumatic brain injury).

The cause of a serious brain injury can be due to:

- a direct knock or blow to the head, such as an object falling on a person or a person striking their head on a solid surface
- a deceleration force, such as a worker's head being abruptly moved or stopped (e.g. sudden braking in a vehicle)
- intense pressure changes, such as a shockwave from an explosion
- electric shock from exposure to high-voltage electricity, and
- repetitive head impacts and repetitive lower-force impacts (e.g. sub-concussive impacts), such as from work involving regular physical impacts.

A serious brain injury or illness includes serious concussions, brain aneurysms, hematomas, skull fractures, chronic traumatic encephalopathy (CTE) and traumatic brain injuries (TBIs).

PCBUs are not expected to make medical assessments, but should be aware of signs that may indicate a serious brain injury. These include:

- loss of consciousness
- confusion or memory loss
- persistent headache
- dizziness or balance issues
- slurred speech
- nausea or vomiting
- unusual behaviour or mood changes, or
- weakness or numbness in arms or legs.

Monitoring workers after any suspected brain injury is crucial, as symptoms of serious injury may not appear immediately but could worsen over time.

If any of these symptoms are observed or reported, the injury would ordinarily require hospital admission or medical treatment and must be notified, even if the person does not seek treatment.

The main differences between serious and minor concussions or other brain injuries are symptom duration, intensity and impact on functioning. Serious brain injuries generally have more pronounced cognitive, physical and emotional changes that require more intensive medical treatment and extended recovery time.

Injuries resulting from a blow, knock or other shock to the head that are generally not notifiable include:

- Minor head injuries. These are usually once-off low-impact injuries with mild, short lived symptoms. The person remains alert and recovers quickly without medical intervention.
- Minor bruising, small lump or cut on the head.

### 4.6 Exposure to a substance

The PCBU must notify any injuries or illnesses arising from the conduct of the business or undertaking that require (or would usually require) treatment from a doctor, nurse or paramedic within 48 hours of exposure to a substance.

- 'Exposure' generally means coming into contact with a substance by breathing it in, swallowing it, or getting it on the skin or eyes.
- A substance includes a natural or artificial substance in any form such as solid, liquid, gas or vapour, including chemicals, airborne contaminants, and human or animal blood or bodily substances.

The treatment for exposure to a substance does not need to be provided in hospital for it to trigger notification—it may be provided by a registered health professional such as a doctor, paramedic or nurse. For example, a paramedic administering oxygen therapy for carbon monoxide exposure.

## 4. Notifiable serious injuries and illnesses

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

**Table 7: Exposures to substances scenarios**

**Note:**

- The scenarios in this table are provided for guidance only. They are not exhaustive and whether notification is required will depend on the specific circumstances.
- The 'notifiable' scenarios involve treatment by a medical professional (e.g. doctor, nurse or paramedic). The scenarios listed under 'Not notifiable' are typically excluded because they would not be considered 'serious' in usual circumstances due to the level of treatment required, such as basic first aid.

 **Notifiable**

A worker splashes a corrosive cleaning chemical on their exposed arms that will cause skin burns. Treatment is required within 48 hours due to potential long-term skin damage.

A worker inhales fumes from a chemical used in machinery cleaning. Within a day, they develop respiratory symptoms requiring medical treatment.

A healthcare worker gets a small amount of blood in their eye while treating a patient. The worker has no immunity against hepatitis B, so they require immediate treatment and monitoring.

A worker handling powdered ingredients inhales dust particles, causing severe irritation which requires medical treatment for respiratory issues the next day.

 **Not notifiable**

A worker gets a small splash of cleaning solution on their hand, causing mild redness. They wash it off immediately and no further treatment is required.

A worker notices a chemical odour at work but does not experience symptoms nor discomfort.

A healthcare worker has a small amount of a patient's vomit contact their intact skin (e.g. no open wounds). Normal procedures are followed to clean the area and since no other treatment is required the incident is not notifiable.

A worker handling a powdered ingredient notices the powder has spilled, but they are correctly wearing the appropriate PPE so it is not inhaled and they experience no symptoms or signs of injury or illness.

## 4.7 Prescribed serious illnesses – infections and zoonoses

The model WHS Regulations (r 699) prescribe serious illnesses which must be notified to the WHS regulator. These notifiable illnesses are categorised into 2 areas:

1. Infections to which the carrying out of work is a significant contributing factor, including those which are reliably attributable to work involving (but not limited to):
  - o Micro-organisms: Any infection that is directly related to the handling of microorganisms in the workplace, such as bacteria, viruses, or fungi. For example, a lab technician contracts salmonella after handling contaminated samples of foodborne bacteria.
  - o Providing treatment or care: This includes diseases transmitted by blood, body fluids, or airborne pathogens. For example, a nurse contracts tuberculosis from a patient undergoing treatment.
  - o Contact with human blood or body substances (e.g. blood, semen and vaginal fluids) can lead to infection. Even small amounts of infected blood may contain viruses such as hepatitis B, hepatitis C or HIV. Transmission can occur if these fluids enter the bloodstream (e.g. through broken skin) or come into contact with mucous membranes (e.g. eyes or mouth).
  - o Handling or having contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products. These include diseases commonly found in livestock or wildlife, and zoonotic diseases transmitted from animals to humans (see more information below).

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

2. *Certain occupational zoonoses<sup>1</sup> contracted in the course of work involving handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products:*

- o Q Fever.
- o Anthrax
- o Leptospirosis
- o Brucellosis
- o Hendra virus
- o Avian influenza
- o Psittacosis.

### Carrying out work being a significant contributing factor to infections

PCBUs need to assess on a case-by-case basis whether an infection requires notification based on whether the carrying out of work made a *significant* contribution to the infection, rather than trivial.

An infection is considered to be significantly caused by work tasks if the facts and circumstances provide a reasonable degree of support to conclude that these led to the person acquiring the infection.

For example, if a worker contracts an infection after handling biological samples in a laboratory, and the evidence reasonably supports that the exposure occurred during that work (especially if the infection is uncommon outside of such settings), then the carrying out of that work was a significant contributing factor to that infection.

**Table 8: Serious illness scenarios**

**Note:**

- *The scenarios in this table are provided for guidance only. They are not exhaustive and whether notification is required will depend on the specific circumstances.*
- *The scenarios listed under 'Not notifiable' are typically excluded for reasons such as the injury or illness not being serious, and/or it being unlikely that the carrying out of work was a significant contributing factor, and/or the infection or illness not being contracted in the course of work.*

 **Notifiable**

A cooling tower in an industrial building becomes contaminated with Legionella bacteria. Workers carrying out maintenance work on the cooling tower are exposed to Legionella bacteria and contract Legionnaire's disease.

A farm worker directly handles animals as part of their work. The worker is infected with Q fever. Their regular work with animals indicates that work was a significant factor to contracting Q fever.

A healthcare worker acquires an infection (e.g. hepatitis C, HIV) after having contact with the blood of an infected patient while carrying out work providing treatment.

A nurse working in a hospital's infectious diseases ward contracts Methicillin-resistant Staphylococcus aureus (MRSA) after providing treatment to patients with MRSA. While MRSA can be acquired in the community, the nurse's work in a high-risk environment indicates that work was a significant factor to contracting MRSA.

A cleaner working in a poultry processing plant develops severe respiratory symptoms that is later confirmed to be avian influenza. The cleaner's contact with poultry products indicates that work was a significant factor to contracting avian influenza.

<sup>1</sup> *Zoonoses are diseases that can be transmitted from animals to humans through direct or indirect contact. Direct contact can come from physically handling animals, exposure to animals' bodily fluids or bites and scratches. Indirect contact can occur when workers are exposed to surfaces, equipment, water, feed, clothing or other materials contaminated by animals or their bodily fluids, as well as through inhaling dust or airborne particles that may carry germs or viruses.*

## 4. Notifiable serious injuries and illnesses



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### Not notifiable

An office worker develops flu symptoms. Other workers in their team develop similar symptoms and take a few days off work to recover. Colds and the flu are common viruses which are generally not considered a serious illness unless hospitalisation is required. They circulate in the community and are transmitted through various means. While a workplace can be a place where colds and the flu spread, it may not be a significant factor to contracting these illnesses.

A tradesperson buys lunch from a local café. That afternoon they begin to feel nauseous and develop a mild stomach bug, and recovers quickly. It is not a serious illness, and it is unlikely that the worker's work was a significant contributing factor.

A contractor works primarily from home. A family member in their household has conjunctivitis and the contractor also becomes infected. It is not a serious illness, and it is unlikely that the worker's work was a significant contributing factor.

An office worker develops leptospirosis after helping with flood clean-up efforts as part of a community group. Because the infection was unlikely contracted in the course of their office job, the PCBU of the office worker does not need to notify the illness to the WHS regulator. The community organisation (that is a PCBU) may have notification duties if the flood clean-up work was a significant contributing factor to contracting leptospirosis.

A worker rides their bicycle to work and uses the staff shower and amenities which are cleaned every day. The worker develops a fungal skin infection that they are able to treat with an over-the-counter antifungal cream. It is not a serious infection, nor are the clean shower facilities a likely significant contributing factor, so it is not notifiable.



Some conditions or diseases may also be subject to health reporting requirements or additional obligations under public health laws—refer to the Department of Health in your jurisdiction. Notification must be made to the [WHS Regulator](#) if the infection or zoonoses meets the notification threshold regardless of the involvement of any other processes, authorities, or notification to other bodies.



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

## 5. Notifiable dangerous incidents

### Section 37 What is a *dangerous incident*

In this Part, *dangerous incident* means any of the following incidents, in relation to a workplace, that immediately or imminently exposes a person to a serious risk to the person's health or safety:

- a) an uncontrolled escape, spillage or leakage of a substance;
- b) an uncontrolled fire, implosion, or explosion, including an electrical explosion or an arc flash explosion;
- c) an uncontrolled escape of gas or steam;
- d) an uncontrolled escape of a pressurised substance;
- e) an electric shock;
- f) the fall or release from a height of a thing;
- g) the collapse, overturning, failure or malfunction of, or damage to, plant that is required to be authorised for use in accordance with the regulations;
- h) a mobile plant incident;
- i) the collapse or partial collapse of a structure;
- j) the collapse or failure of an excavation or of any shoring supporting an excavation;
- k) the inrush of water, mud or gas in workings, in an underground excavation or tunnel;
- l) the interruption of the main system of ventilation in an underground excavation or tunnel;
- m) a serious fall;
- n) another event prescribed by the regulations.

(2) The regulations may prescribe types of incidents that are not dangerous incidents for this Part.

(3) In this section:

*mobile plant* means plant designed to move or be moved, either autonomously or under the direct or remote control of an operator.

*mobile plant incident* means an incident in which:

- a) mobile plant overturns or partially overturns; or
- b) mobile plant collides with a person or thing; or
- c) a person is pinned to the ground or another thing by mobile plant; or
- d) a person is ejected from mobile plant; or
- e) mobile plant malfunctions; or
- f) mobile plant, ordinarily controlled directly or remotely by an operator, moves while not under control.

**serious fall** means a person falling:

- a) from 1 level to a lower level; or
- b) into a hole, trench, pit or void; or
- c) into a body of water; or
- d) onto a dangerous surface or object.

### In this section:

- |  |   |
|--|---|
| <a href="#">5.1 What are dangerous incidents</a>                   | → |
| <a href="#">5.2 Key terms for dangerous incident notifications</a> | → |
| <a href="#">5.3 Mobile plant incidents</a>                         | → |
| <a href="#">5.4 Serious falls of a person</a>                      | → |

### 5.1 What are dangerous incidents

Some incidents at a workplace must be notified even if no one is injured, because people have been exposed to a serious risk to health or safety. Prompt notification helps identify and address safety issues to prevent future occurrences.



These incidents could be described as situations where it was only by chance that a person avoided death, serious injury or illness.

## 5. Notifiable dangerous incidents



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

The PCBU must notify the WHS regulator of any of the following incidents, in relation to a workplace, that immediately or imminently exposes a person to a serious risk to the person's health or safety:

- an uncontrolled escape, spillage or leakage of a substance
- an uncontrolled fire, implosion or explosion, including an electrical explosion or arc flash explosion
- 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 thing (e.g. an object like a piece of scaffolding)
- the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be design or item registered under the model WHS regulations, for example a collapsing crane
- mobile plant which overturns (including partial overturns), collides with a person or thing, pins a person to the ground or another thing, a person is ejected from the plant, plant malfunctions or the plant moves while not under control and it is normally under the direct or remote control of an operator (e.g. roll aways)
- 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
- the interruption of the main system of ventilation in an underground excavation or tunnel
- a serious fall.

See [Table 9](#) for examples.

## 5.2 Key terms for dangerous incident notifications

### Immediate or imminent exposure to a serious risk

The terms 'immediate or imminent' exposure to serious risks relating to dangerous incidents are not defined for notification requirements, so the plain or ordinary meaning of the words apply.

Generally, 'immediate' refers to 'instantly or presently occurring' and 'imminent' refers to 'likely to occur at any moment' or 'is about to happen'.

For example, a pressurised gas cylinder suddenly ruptures and releases gas into a confined workspace. Workers in the area are subject to immediate exposure. The exposure occurs without delay and presents an immediate risk to health and safety.

In another example, an overhanging beam deteriorates to the extent that it could fall at any moment. Workers in this area are subject to an imminent exposure.



### What is a serious risk?

A 'serious risk' to a person's health or safety is not a term that is defined in notification requirements, so the plain or ordinary meaning applies.

Generally, for a dangerous incident to pose a serious risk to a person's health or safety, it must present a real danger, either happening (immediate) or likely to happen at any moment (imminent).

Key factors of a 'serious risk' to a person's health or safety are likely to be:

- 1. The potential severity of harm** – In the circumstances, could the incident reasonably be expected to have caused death, serious injury or illness (e.g. the types of harm described in section 36 of the model WHS Act).
- 2. The likelihood of harm** – There is a real chance that the risk would eventuate (not a remote or unlikely risk).

When determining whether a dangerous incident posed a serious risk to health or safety, it is important to consider whether a person was actually in the area or was expected to be in the area of the incident. A 'serious risk' generally requires more than just a remote or hypothetical possibility that someone might have been present.



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

**Table 9: Dangerous incident scenarios****Note:**

- The scenarios in this table are provided for guidance only. They are not exhaustive and whether notification is required will depend on the specific circumstances.
- The scenarios listed under 'Does not include' are typically excluded because they do not pose an immediate or imminent serious risk to a person's health or safety, which is a key requirement of a notifiable dangerous incident.

Dangerous incident	Examples
Uncontrolled escape, spillage or leakage of a substance	<ul style="list-style-type: none"> <li>✓ <b>Includes</b> <ul style="list-style-type: none"> <li>• Chemical spill with a high risk of exposing workers to toxic substances or fumes.</li> <li>• Workers disturb friable asbestos while not wearing appropriate PPE.</li> <li>• Leak of highly flammable substance in vicinity of workers posing a serious risk of harm from fire.</li> </ul> </li> <li>✗ <b>Does not include</b> <ul style="list-style-type: none"> <li>• Minor escapes, spillage or chemical leaks where the risk of harm is low due to limited toxicity.</li> <li>• Effective control measures are in place and work as intended so the risk of harm is low, for example isolation, effective ventilation and shut off procedures.</li> </ul> </li> </ul>
Uncontrolled fire, implosion or explosion, including an electrical explosion or arc flash explosion	<ul style="list-style-type: none"> <li>✓ <b>Includes</b> <ul style="list-style-type: none"> <li>• Explosion in a chemical plant posing a serious risk to workers and others in the vicinity.</li> <li>• Electrical arc flash in a substation with workers nearby.</li> <li>• Gas explosion on a construction site causing structural damage and requiring emergency response.</li> </ul> </li> <li>✗ <b>Does not include</b> <ul style="list-style-type: none"> <li>• Minor fires put out with an extinguisher or blanket with limited risk of spreading quickly.</li> <li>• Small explosion in a laboratory, contained within a blast shield designed for the blast and therefore with low risk of harm.</li> </ul> </li> </ul>
Uncontrolled escape of gas or steam	<ul style="list-style-type: none"> <li>✓ <b>Includes</b> <ul style="list-style-type: none"> <li>• Escape of steam near workers or others.</li> <li>• Escape of hazardous gas near workers or others.</li> <li>• Escape of gas that displaces oxygen in a place where people are, or would usually, be present.</li> </ul> </li> <li>✗ <b>Does not include</b> <ul style="list-style-type: none"> <li>• Small leaks that are promptly contained or repaired, or releases of non-hazardous gases or steam where there is no danger to workers or others.</li> </ul> </li> </ul>
Uncontrolled escape of a pressurised substance	<ul style="list-style-type: none"> <li>✓ <b>Includes</b> <ul style="list-style-type: none"> <li>• A pressurised air hose bursts, causing debris to fly across a construction site and narrowly misses workers.</li> <li>• A truck tyre bursting while being inflated, causing a worker to be thrown back onto the ground.</li> <li>• An industrial steam boiler's pressure valve malfunctions and allows superheated steam to escape in a place where people are, or would usually, be present.</li> </ul> </li> <li>✗ <b>Does not include</b> <ul style="list-style-type: none"> <li>• Low pressure leaks that do not pose a serious risk. For example, a small release of compressed gas during equipment maintenance.</li> <li>• And uncontrolled escape of a pressurised substances that is isolated from workers and does not pose a serious risk to health or safety.</li> </ul> </li> </ul>

**Includes**

- Chemical spill with a high risk of exposing workers to toxic substances or fumes.
- Workers disturb friable asbestos while not wearing appropriate PPE.
- Leak of highly flammable substance in vicinity of workers posing a serious risk of harm from fire.

**Does not include**

- Minor escapes, spillage or chemical leaks where the risk of harm is low due to limited toxicity.
- Effective control measures are in place and work as intended so the risk of harm is low, for example isolation, effective ventilation and shut off procedures.

**Includes**

- Explosion in a chemical plant posing a serious risk to workers and others in the vicinity.
- Electrical arc flash in a substation with workers nearby.
- Gas explosion on a construction site causing structural damage and requiring emergency response.

**Does not include**

- Minor fires put out with an extinguisher or blanket with limited risk of spreading quickly.
- Small explosion in a laboratory, contained within a blast shield designed for the blast and therefore with low risk of harm.

**Includes**

- Escape of steam near workers or others.
- Escape of hazardous gas near workers or others.
- Escape of gas that displaces oxygen in a place where people are, or would usually, be present.

**Does not include**

- Small leaks that are promptly contained or repaired, or releases of non-hazardous gases or steam where there is no danger to workers or others.

**Includes**

- A pressurised air hose bursts, causing debris to fly across a construction site and narrowly misses workers.
- A truck tyre bursting while being inflated, causing a worker to be thrown back onto the ground.
- An industrial steam boiler's pressure valve malfunctions and allows superheated steam to escape in a place where people are, or would usually, be present.

**Does not include**

- Low pressure leaks that do not pose a serious risk. For example, a small release of compressed gas during equipment maintenance.
- And uncontrolled escape of a pressurised substances that is isolated from workers and does not pose a serious risk to health or safety.



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

Dangerous incident	Examples
Electric shock	<p><b>✓ Includes</b></p> <ul style="list-style-type: none"> <li>Shock resulting from direct contact with exposed live electrical parts (other than 'extra low voltage'), including shock from capacitive discharge (which are not otherwise notifiable under serious injury notification requirements).</li> <li>Narrowly avoided high voltage shocks. For example, inadvertent re-energisation while equipment is being serviced; a worker uses a metal ladder close to high-voltage power lines.</li> </ul> <p><b>✗ Does not include</b></p> <ul style="list-style-type: none"> <li>Mild electric shocks with no lasting effects and do not require medical attention beyond basic first aid. For example, extra low voltage shock (i.e. from electrical equipment less than or equal to 50V AC and less than or equal to 120V DC), or shock from mild static discharge and no fire risk.</li> <li>Appropriate use of a defibrillator.</li> </ul>
Fall or release from a height of a thing	<p><b>✓ Includes</b></p> <ul style="list-style-type: none"> <li>Large or heavy objects falling into non-exclusion zones or high traffic areas, such as construction equipment or items stacked on high shelves.</li> <li>Fallen structural systems like scaffolding or industrial gates.</li> <li>Load dropping from a crane (from any height).</li> <li>Load falling from an elevated forklift or work platform.</li> </ul> <p><b>✗ Does not include</b></p> <ul style="list-style-type: none"> <li>Fallen objects which do not pose a risk of serious harm, for example because they are lightweight/low-impact, a non-hazardous material, or have fallen from a very low height.</li> <li>Effective control measures are in place and work as intended so there is no serious risk to health or safety, for example objects which fall into clearly established exclusion zones; a tool dropped from scaffolding is caught by a safety net; food cans falling from an elevated pallet land on the overhead protection guard on a forklift truck.</li> </ul>
Collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be design or item registered under the model WHS regulations	<p><b>✓ Includes</b></p> <ul style="list-style-type: none"> <li>A high-capacity mobile crane overturns during lifting operation, causing a near miss with workers.</li> <li>A crane fails to lift a load properly, causing the load to swing uncontrollably, presenting a hazard to nearby workers.</li> <li>A malfunction causes a load to fall from a tower crane.</li> <li>A person on an amusement ride being lifted into the air because the restraining bar was not engaged.</li> <li>An amusement ride unexpectedly rotating while riders are entering or exiting the ride.</li> <li>The failure of a line clamp on a concrete placing boom causing pressurised concrete to be released in a place where people are, or would usually, be present.</li> </ul> <p><b>✗ Does not include</b></p> <ul style="list-style-type: none"> <li>Minor failures or damage that is quickly repaired or isolated and controls work as intended, such as a crane's hydraulic system experiencing a slight pressure drop, but workers are immediately alerted and the crane is taken out of service without incident.</li> </ul>
Inrush of water, mud or gas in workings, in an underground excavation or tunnel	<p><b>✓ Includes</b></p> <ul style="list-style-type: none"> <li>Significant inrush that creates a risk of drowning, becoming trapped, explosion, suffocation or reduces oxygen levels.</li> <li>Inrush of sewage exposing people to biological contaminants.</li> </ul> <p><b>✗ Does not include</b></p> <ul style="list-style-type: none"> <li>Minor inrushes that are quickly managed by robust controls such as drainage systems, ventilation or barriers, presenting no serious risk to workers or significant disruption to operations that could lead to other health or safety issues.</li> </ul>

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

**Dangerous incident**    **Examples**

Mobile plant which:

- overturns or partially overturns
- collides with a person or thing
- pins a person to the ground or another thing
- a person is ejected from the plant
- malfunctions
- moves while not under control (and it is ordinarily controlled directly or remotely by an operator)

The duty to notify mobile plant dangerous incidents was introduced in the model WHS Act in 2025. Notification requirements may vary between jurisdictions. PCBU's should check with their WHS regulator to confirm whether this duty applies in their state or territory.

 **Includes**

- A vehicle's braking system fails, causing it to drive into a structure accessed by people, or which could affect the structure's integrity (e.g. it may collapse in an area accessed by people).
- A vehicle loses control going around a corner, colliding with a worker and trapping them against a wall.
- An unoccupied vehicle rolls away down a slope, narrowly missing workers and other people.
- A truck overturns on a construction site.
- A scissor lift is used on a steep gradient and rolls down the hill, not under the control of an operator.
- A forklift over-balances and tips, coming to rest against a wall.
- A quad bike rounds a corner too quickly and the operator is flung off.
- An excavator's arm unexpectedly swings and almost collides with a nearby worker.
- A worker is ejected from an excavator during an abrupt stop, falling but not sustaining significant injuries.
- A delivery rider is knocked off their bike into traffic which narrowly avoids hitting the rider.
- A delivery van misses a stop sign and hits a car at speed, and the nature of the collision posed a serious risk to health and safety.
- Autonomous mobile plant moves dangerously out of control near people.
- A large powered concrete trowel spins out of control, narrowly missing workers.
- A worker tries to move an industrial bin on wheels but loses control on a slope and the bin rolls away, nearly hitting a pedestrian.
- A heavy autonomous vehicle malfunctions and workers need to jump out of the way.

 **Does not include**

- A forklift loses traction on a wet surface but stops safely without posing a serious risk to workers or others.
- Minor mobile plant malfunctions that do not expose a person to an immediate or imminent serious risk.
- A tractor rolls slightly down a slope, but the operator regains control before any risk of collision.
- A quad bike loses traction on a slope but is safely brought to a stop.
- A delivery van has a low speed collision with another vehicle while parking. No pedestrians were present and all involved were wearing seatbelts that minimised the risk of serious injury.
- A forklift slowly reverses into a bollard which has been installed to protect racking, and no people were in the area.
- Amusement devices such as 'dodgem cars', where the device is designed to permit minor collisions and safety features are in use and work as intended.

The interruption of the main system of ventilation in an underground excavation or tunnel

 **Includes**

- Ventilation system failure in an underground tunnel, causing a significant buildup of hazardous gases which requires staff to evacuate.
- Main ventilation system shuts down in a mine, leading to oxygen levels dropping below safe limits.
- Power failure affecting ventilation fans in a tunnel creates a risk of asphyxiation or exposure to airborne contaminants.

 **Does not include**

- Minor interruption of ventilation in an underground tunnel, but the emergency backup system kicks in and maintains safe air quality (controls work as intended).
- Scheduled maintenance temporarily halts ventilation, however air quality is monitored with plans to remove workers if air quality declines.

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

**Dangerous incident**    **Examples**

Collapse or failure of an excavation or of any shoring supporting an excavation

 **Includes**

- Partial collapse of an excavation or trench due to failure of shoring creating a risk of entrapment or further structural collapse.
- Partial collapse of an excavation causing structure damage or collapse of adjacent structures.

 **Does not include**

- Small section of excavation wall collapses but does not pose a risk to workers, and no further collapse occurs; minor ground shift in an excavation which is controlled by a secondary shoring system; shoring failure in a trench which is quickly and easily contained and the trench is a place where workers are not usually present.

Collapse or partial collapse of a structure

 **Includes**

- Partial collapse of a building's roof in the vicinity of workers.
- Partial collapse of stage scaffolds at a concert causing significant risk to workers and others.

 **Does not include**

- Partial collapse of a low-height shelving unit, with no risk to workers.
- Crack or minor structural shift in a building that does not affect the overall stability and is quickly managed with robust controls such as temporary support.
- A ceiling tile or fitting that falls and creates no serious risk of harm to workers.

A serious fall of a person:

- from one level to another level
- into a hole, trench, pit or void
- into a body of water
- onto a dangerous surface or object

There is no height threshold applied to a serious fall.

 **Includes**

- A worker falls after slipping on a wet roof surface (without fall protection), but does not fall from the roof.
- A worker trips on uneven flooring and falls next to dangerous machinery.
- Falls arrested by safety measures but a serious risk to health or safety was present – e.g. a worker's fall is arrested by a safety harness, but they swing into the building and narrowly avoid serious injury; being suspended by a harness for an extended period.
- A worker falls off a deck onto rough uneven rocks.
- A worker falls backwards onto an area with tools and exposed nails.
- A worker falls into a deep body of water, wearing heavy clothing and tools that weigh them down.
- A worker falls off a boat and it is not immediately noticed, so rescue measures are delayed.

 **Does not include**

Falls that, by their nature, are unlikely to result in serious injury, for example:

- tripping or slipping on a level surface.
- falling from a very low height (e.g. stepping off a curb or low step).
- falling in a low-risk environment where the surface is soft or impact is minimal (e.g. carpeted office floor).

These types of falls are generally not notifiable unless there are additional risk factors, such as falling onto a hazardous surface, near moving machinery, or in a high-risk area, that create an immediate or imminent serious risk to health or safety.

The duty to notify a serious fall dangerous incident was introduced in the model WHS Act in 2025. Notification requirements may vary between jurisdictions. PCBU's should check with their WHS regulator to confirm whether this duty applies in their state or territory.

The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### 5.3 Mobile plant incidents

The duty to notify mobile plant dangerous incidents was introduced in the model WHS Act in 2025. Notification requirements may vary between jurisdictions. PCBUs should check with their WHS regulator to confirm whether this duty applies in their state or territory.

A 'mobile plant incident' means an incident where:

- mobile plant overturns or partially overturns
- mobile plant collides with a person or thing
- a person is pinned to the ground or another thing by mobile plant
- a person is ejected from mobile plant
- mobile plant malfunctions (for example, if an autonomous forklift suddenly moves erratically and workers are in the area), or
- mobile plant which is ordinarily controlled directly or remotely by an operator, moves while not under control (such as rolling, floating or sliding away).

For the purposes of dangerous incident notifications, 'mobile plant' means plant that is designed to move or be moved, either autonomously or under the direct control of an operator. It is not limited to powered mobile plant.

For example, mobile plant includes:

- cars, motorcycles, bicycles, scooters, quad bikes, side by side vehicles, drones, trucks and trains
- earth moving machinery like bulldozers, excavators, loaders, graders and scrapers
- mobile cranes and truck-mounted cranes
- forklifts, pallet trucks (manual or powered) and reach stackers
- tractors, combine harvesters, traveling irrigators and self-propelled sprayers
- rollers, compactors, pavers and wheelbarrows
- trailers, caravans, and wagons that can be towed or pushed
- boats and powered mobile pontoons
- mobile scaffolding towers, portable gantries and similar wheeled structures
- hoists and overhead tracking systems used to lift or transfer people, e.g. in health, aged care and disability settings.

**Table 10: Mobile plant incident scenarios**

**Note:**

- *The scenarios in this table are provided for guidance only. They are not exhaustive and whether notification is required will depend on the specific circumstances.*
- *The scenarios listed under 'Not notifiable' are typically excluded because they do not pose an immediate or imminent serious risk to a person's health or safety, which is a key requirement for a notifiable dangerous incident.*

**Notifiable**

A forklift overturns while lifting heavy materials and pins the operator's leg to the ground. Even though the operator suffered only minor bruising, it meets the notification requirement because the worker was exposed to an immediate/imminent serious risk due to the potential serious crush injury.

A worker on a quad bike is ejected when it rolls over while navigating rough terrain at speed. Although the worker has minor scrapes and bruising, the incident posed an immediate/imminent serious risk to health and safety, such as a serious head injury or being pinned by the quad bike.

A front-end loader rolls away down a slope after braking fails (due to a system malfunction or skidding down a very slippery surface), narrowly missing workers. Even though no one was hurt, the loss of control in that part of the workplace created an immediate/imminent serious risk of colliding with people and causing serious injuries or death.

A truck collides with a delivery rider at low speed. The rider is not seriously injured, but the nature of the collision with a large vehicle and the bike rider having little physical protection was an immediate/imminent serious risk to the worker's safety.

Whilst a trailer is being detached it rolls down a hill. People are put at risk trying to stop it and significant harm is only avoided as the trailer swings sideways and stops. There was an immediate/imminent serious risk to workers' safety.

A tractor operator is ejected from the vehicle when it hits a bump. Even though the operator has no injuries, the incident posed a risk of serious injury due to the immediate/imminent risk of the person being crushed by the wheels of the tractor.

A work-owned heavy vehicle loses control and crashes into a parked vehicle, narrowly missing a worker who was standing nearby. Although no one is injured, the heavy vehicle's loss of control posed an immediate/imminent serious risk to health and safety.

## 5. Notifiable dangerous incidents

The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### Not notifiable

Collisions with a stationary object at low speeds, where people are not present due to exclusion zones and other control measures. The stationary object hit is not at risk of causing injury to the driver or others, and the low speed meant the driver was not at serious risk of harm. The vehicle or object may be damaged, but there was no risk to workers or others.

Collisions with safety barriers designed to manage health and safety risks, where the collision is within the speeds/weight specified for the barrier to remain effective and the driver is not at risk of serious harm.

Workers accidentally tip a trolley down a few stairs. Boxes fall and a worker sprains an ankle. Given the load was light, workers and others were not exposed to a serious risk to health and safety.

A worker leaves their vehicle without engaging the handbrake. However, the vehicle only moves a short distance before being stopped by bollards. The worker and others were not near the moving vehicle.

A delivery driver is involved in a low speed motor vehicle accident. The low speed and vehicle's safety features prevent the risk of serious harm to the driver and others.

A ride-on lawn mower develops a fault in its headlight wiring. The mower's engine, brakes and steering are not affected, and the operator is able to safely stop the machine. The mower is taken out of service for repairs before being safely used again.

A delivery rider's bike is poorly loaded and tips over as they set off. The incident happens at low speed on a footpath and the rider's PPE prevents the risk of serious harm.

## 5.4 Serious falls of a person

The duty to notify a serious fall of a person was introduced in the model WHS Act in 2025. Notification requirements may vary between jurisdictions. PCBUs should check with their WHS regulator to confirm whether this duty applies in their state or territory.

A 'serious fall' means a person falling:

- from one level to another level
- into a hole, trench, pit or void
- into a body of water, or
- onto a dangerous surface or object (e.g. hard, sharp, hot or moving surfaces or objects that could cause serious injury if landed on).

There is no height threshold for a serious fall. The focus is on falls that immediately or imminently expose a person to a serious risk to the person's health or safety.

There may be situations where a fall occurs and a fall control system intervenes. However, the fall may still **immediately or imminently expose a person to a serious risk to the person's health or safety** and must be notified.

See [Table 9](#) for examples.

### Factors to help determine if a fall was a 'dangerous incident'

- Falls that could have led to contact with hazardous materials like chemicals, or near hazards like sharp edges, moving machinery, open flames or exposed electrical wiring.
- The type of surface the person could land on, such as concrete, protrusions like rebar, a deep body of water or hot surfaces.
- Falls from height such as from ladders, scaffolding or stairs.
- Falls that pose a higher risk of head or spinal injury, such as falling headfirst.
- Factors relating to the individual, such as their physical condition (e.g. pregnancy, age, medical conditions).
- If the risk was increased due to remote or isolated work, including a lack of access to immediate assistance (e.g. a worker working alone at night falls and breaks their ankle, but has no means of accessing help until they are found by other workers the next day).

Falls that occur on a level surface, from a very low height or in a low-risk environment (e.g. onto carpeted floors) are generally not notifiable unless there are additional risk factors, such as falling near machinery or onto a hazardous surface.

- Whether a fall is notifiable will depend on the specific circumstances.

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

## 6. Notifiable violent incidents

### Section 37A What is a *violent incident*

In this Part, *violent incident* means 1 or more of the following that exposes a person to a serious risk of psychological harm:

- a) a sexual assault or suspected sexual assault;
- b) a physical assault, including with bodily fluids;
- c) deliberate deprivation of a person’s liberty without lawful authority;
- d) a threat of sexual or physical assault, or a threat to deprive a person of the person’s liberty, where there is a reasonable belief that, at the time the threat is made, the person making the threat:
  - i. (i) intends to carry out the threat; and
  - ii. (ii) has the means to carry out the threat.

### In this section:

- [6.1 What is a violent incident](#) →
- [6.2 Violent incidents – the link to work](#) →
- [6.3 What is a serious risk of psychological harm?](#) →
- [6.4 Types of violent incidents](#) →
- [6.5 Links with criminal conduct and police investigations](#) →
- [6.6 If a victim does not want the incident notified](#) →

 The duty to notify violent incidents was introduced in the model WHS Act in 2025. Notification requirements may vary between jurisdictions. PCBUs should check with their WHS regulator to confirm whether this duty applies in their state or territory.

Some violent incidents may meet a criminal standard, however this threshold does not need to be met for the incident to be notifiable. PCBUs should follow police instructions in relation to any police investigations.

Physical harm from violent incidents may be notifiable if the incident results in serious injury or illness (e.g. serious lacerations, head injuries or hospitalisation) or a notifiable extended absence. Only one notification is required in relation to the same event or set of circumstances.

### 6.1 What is a violent incident

A violent incident is one of the following incidents arising from the conduct of the business or undertaking that exposes a person (workers or other people) to a serious risk of psychological harm:

- a sexual assault or a suspected sexual assault
- a physical assault, including with bodily fluids
- deliberate deprivation of a person’s liberty (without lawful authority)
- a threat of sexual or physical assault, or a threat to deprive a person of the person’s liberty, with the means and intent to carry out the threat.

 A person does not need to have suffered or been diagnosed with psychological harm from the violent incident for it to be a notifiable incident. Notification is required if a person is exposed to a serious risk of psychological harm.

A violent incident must be immediately notified to the WHS regulator. Notifying police or other authorities does not replace the duty to notify the WHS regulator.

### 6.2 Violent incidents – the link to work

A violent incident must arise from the conduct of the business or undertaking to be notifiable. This does not necessarily mean the business or undertaking caused the incident. For example, an incident may be work-related if:

- it was connected to the work environment, business activities or services, or
- there is an identifiable link between the incident and the business or undertaking’s operations, or the control or influence of the PCBU.



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### 6.3 What is a serious risk of psychological harm?

To be notifiable, a violent incident must expose a person (a worker or other person) to a serious risk of psychological harm (for general guidance on 'psychological harm' see [Appendix C](#)). An exposure can happen to both the person who is the victim of an incident and to any bystanders.

A 'serious risk of psychological harm' is not a term that is defined, so the plain or ordinary meaning applies.

Generally, for a violent incident to pose a serious risk of psychological harm, it must present a real danger. There are 2 key factors to consider:

- The potential severity of harm – Could the incident have caused, or is it likely to cause, psychological harm (e.g. post-traumatic stress disorder, anxiety, panic disorders, depression or sleep disorders—generally conditions which disrupt normal functioning)?
- The likelihood of harm – There must have been a significant chance that the harm would eventuate (not a minor or unlikely risk) based on the nature of the incident.

People are likely to experience serious psychological harm from a violent incident when they genuinely feared death or serious injury (of themselves or others), or if they were physically injured during the incident (even if only a minor injury).

When determining whether an incident poses a serious risk, consider factors such as:

- The severity of the incident and the potential for it to cause serious physical harm. The risks are higher when:
  - A weapon was used or the attacker had easy access to a weapon, including tools and equipment in the workplace.
  - The person is doing remote or isolated work, away from the assistance of others.
  - The person is trapped with no means to escape.
  - The attacker shows a high degree of aggression or lack of control (e.g. appears affected by drugs or uncontrolled anger).
- If it is likely a person would show signs of serious distress, or the incident could affect their ability to return to work or continue their normal tasks.
- If the person required medical or psychological treatment as a result of the incident.
- Past incidents of violence or similar situations at the workplace, the nature of previous interactions between the people involved in the incident and the likelihood of further engagement.

Situations where there has been consent to violence (e.g. martial arts) are unlikely to expose a person to a serious risk of psychological harm if the violence falls within the boundaries of that consent and appropriate measures are taken to prevent serious injury. However, workplace injuries from these activities are still notifiable if they meet other criteria (e.g. serious injury or illness, or a notifiable extended absence).



# 6.4 Types of violent incidents

## Physical assault

The term 'physical assault' is not defined in notification requirements, so the plain or ordinary meaning applies. Generally this is any physical attack or act of violence involving physical force such as hitting, punching, kicking, biting, shoving, throwing objects at a person or striking a person. Physical assault also includes an attack with bodily fluids such as blood, urine, saliva or faeces.

Even where an assault or attack does not result in physical injuries, it may still be notifiable if it exposed a person to a serious risk of psychological harm.

## Sexual assault

The term 'sexual assault' is not defined in notification requirements, so the plain or ordinary meaning applies. The notification of a sexual assault is intended to capture non-consensual sexual acts that are sexual in nature, that are inflicted or forced on another person and that expose them to serious risk of psychological harm. It also captures any sexual assault that has been, or could be, referred to police for investigation. However, a police investigation is not required for the incident to be notified to the WHS regulator.

The notification requirement applies to both confirmed and suspected incidents. A PCBU does not need to have evidence of the suspected sexual assault, or be aware of police investigations, court proceedings, or any conviction or court finding before making a notification.

## Deprivation of liberty

The term 'deprivation of liberty' is not defined in notification requirements, so the plain or ordinary meaning applies. Deprivation of liberty is a situation where a person is intentionally trapped, confined or detained against their will, such as being locked in a room or physically restrained.

This is not intended to capture situations where the deprivation of a person's liberty is not deliberate, for example where a person accidentally locks a worker in a supply closet without realising they were inside.

An incident involving lawful deprivation of liberty, such as by law enforcement or under a mental health treatment order, is not a notifiable incident.

## Threats of serious violence

Threats of physical assault, sexual assault and deprivation of liberty are notifiable if:

- they expose a person to a serious risk of psychological harm, and
- there is a reasonable belief that, at the time the threat is made, the person intends to carry out the threat, and has the means to do so.

A threat of serious violence includes expressed or implied threats of harm, whether verbal, written, or communicated through other means. For example, it may include a verbal threat to harm someone, violent gestures, pointing a gun, or holding a weapon ready to strike.

To meet the notification criteria, there must be a reasonable belief at the time a threat of violence is made that the person making the threat intends, and has the means, to carry out the threat. For example, objectively this would not be the case in situations such as threats made by a very young child, a person that is securely restrained, a person outside a secure building or room, a threat made over the phone, threats clearly intended as a joke without any indication of intent to cause harm, or where there is time and the means to seek assistance that would prevent the threat being carried out.



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

**Table 11: Violent incident scenarios****Note:**

- The scenarios in this table are provided for guidance only. They are not exhaustive and whether notification is required will depend on the specific circumstances.
- The scenarios listed under 'Not notifiable' are typically excluded because they do not expose a person to a serious risk of psychological harm.

Physical assault	Notifiable?
Two customers physically fight over an issue related to service at the business. Furniture is thrown and destroyed and the physical danger to people posed a serious risk of psychological harm.	<p>✔ <b>Notifiable</b> Related to the work. Exposure to serious risk of psychological harm.</p>
A worker is spat on by a client. The worker fears catching a serious illness and an escalation of violence.	<p>✔ <b>Notifiable</b> Related to the work. Exposure to a serious risk of psychological harm.</p>
A high school teacher is repeatedly subjected to physical aggression by students, including being shoved and having objects thrown at them. The teacher reports feeling unsafe at work.	<p>✔ <b>Notifiable</b> Related to the work. Exposure to a serious risk of psychological harm.</p>
A worker is punched by an aggressive colleague while alone in the office. While the worker did not sustain a serious physical injury, the situation caused a strong fear of serious harm, particularly because there was no one to help.	<p>✔ <b>Notifiable</b> Related to the work. Exposure to a serious risk of psychological harm.</p>
A real estate agent is assaulted by a former partner while conducting an 'open home' style property inspection. A schedule of inspections and the agents conducting them is available on the agency's website. There is an identifiable link to work, the work required them to attend the property, and their location was published as part of their work.	<p>✔ <b>Notifiable</b> Related to the work. Exposure to a serious risk of psychological harm.</p>
A highly medicated patient throws an arm out and accidentally hits a paramedic. There was no intent of violence or to cause harm and the worker is appropriately trained.	<p>✘ <b>Not notifiable</b> An accidental blow does not constitute an assault and the worker's training lowered the risk of psychological harm.</p>
Customers physically fight in the carpark of a workplace over a personal grievance.	<p>✘ <b>Not notifiable</b> It is not related to the conduct of the business or undertaking and there is no serious risk of psychological harm.</p>
A detainee attempts to strike a worker (e.g. a correctional officer or police officer), however the detainee is quickly restrained and is unable to cause serious harm. A duress alarm is activated, and staff follow training and protocols to safely manage the situation.	<p>✘ <b>Not notifiable</b> The controls in place prevent serious harm. There is no serious risk of psychological harm.</p>
A supermarket worker is kicked by a very young child in the store.	<p>✘ <b>Not notifiable</b> The low frequency, exposure and severity of the harm means there is no serious risk of psychological harm.</p>

## 6. Notifiable violent incidents



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### Sexual assault

### Notifiable?

A customer physically restrains and sexually touches a retail worker. Security intervenes, but the worker is visibly distressed and requires counselling.

✔ **Notifiable**

Sexual assault arising from the work.  
Exposure to a serious risk of psychological harm.

A worker reports that a co-worker forced them to have sexual intercourse without their consent during a work shift.

✔ **Notifiable**

Sexual assault arising from the work.  
Exposure to a serious risk of psychological harm.

A sole-trader running a mobile dog-grooming business is sexually assaulted by a client when working at their home.

✔ **Notifiable**

Sexual assault arising from the work.  
Exposure to a serious risk of psychological harm. The sole-trader is a PCBU and has a duty to notify the incident.

A personal care worker reports non-consensual sexual touching from a client with dementia while working in their home. The worker is distressed and the incident impacts their ability to continue work.

✔ **Notifiable**

Sexual assault arising from the work.  
Exposure to a serious risk of psychological harm.

A person anonymously reports to human resources that they were sexually touched by a manager during a work trip.

✔ **Notifiable**

Suspected sexual assault arising from the work.  
Exposure to a serious risk of psychological harm.

A patron is raped by another patron inside a nightclub. There was a known history of violence at the venue. In these circumstances, the incident could be considered to have arisen from the conduct of the business or undertaking.

✔ **Notifiable**

Sexual assault arising from the conduct of the business.  
Exposure to a serious risk of psychological harm.

A worker wolf-whistles at a colleague in the staff room. The behaviour is inappropriate and reported to a manager. The colleague felt uncomfortable but continues working and does not require medical or psychological treatment.

✘ **Not notifiable**

This is workplace sexual harassment and must be managed as a psychosocial hazard. It is not a notifiable violent incident because it did not involve sexual or physical assault, deprivation of liberty, a threat or expose the person to a serious risk of psychological harm.

## 6. Notifiable violent incidents



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### Deprivation of liberty

### Notifiable?

A patient physically restrains a nurse, preventing them from leaving the room until security intervenes. The nurse feared for their safety.

**Notifiable**

Related to the work.  
Exposure to a serious risk of psychological harm.

A care worker is held against their will in a client's home during a home visit. The worker is terrified of being sexually assaulted as the client has made non-consensual sexual contact before.

**Notifiable**

Related to the work.  
Exposure to a serious risk of psychological harm.

Workers lock an apprentice in a freezer as part of 'hazing'. The apprentice fears for their life and struggles to return to work.

**Notifiable**

Related to the work.  
Exposure to a serious risk of psychological harm.

A worker is prevented from leaving by a co-worker who threatens to sexually assault the worker. The restrained worker cannot call for help and the workplace has one exit point which is being blocked by the co-worker.

**Notifiable**

Related to the work.  
Exposure to a serious risk of psychological harm.

A school student wants to speak to a teacher privately, so makes it difficult for the teacher to leave the class room by obstructing the door. The teacher can easily call for assistance and there are no aggravating factors such as threats of violence.

**Not notifiable**

Due to the nature of the incident and the availability of assistance, the teacher did not fear for their health or safety. They were not exposed to a serious risk of psychological harm.

Lawful physical actions and restraint or detention, for example by police or under a mental health directive.

**Not notifiable**

Lawful deprivation of liberty is not notifiable.

### Threats of physical and sexual assault; deprivation of liberty

### Notifiable?

A worker was threatened at gunpoint during a robbery. The worker feared serious injury or death.

**Notifiable**

Related to the work.  
The worker held a reasonable belief, at the time the threat was made, the person making it intended to carry it out and had the means to do so. Exposure to a serious risk of psychological harm.

A student threatens to stab a teacher with scissors during class. The student is visibly agitated, holding the scissors, and has previously acted violently.

**Notifiable**

Related to the work.  
The teacher held a reasonable belief, at the time the threat was made, the person making it intended to carry it out and had the means to do so. Exposure to a serious risk of psychological harm.

A former worker enters the workplace accompanied by his brother, and threatens workers, saying that his brother will physically assault them. Current workers know the brother has a history of carrying out violent acts.

**Notifiable**

Related to the work.  
The workers held a reasonable belief, at the time the threat was made, the person making it intended to carry it out and had the means to do so. Exposure to a serious risk of psychological harm.



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### Threats of physical and sexual assault; deprivation of liberty

### Notifiable?

A patient threatens to sexually assault a nurse when they are alone in a room. The patient has attempted to assault other workers before.

#### ✔ Notifiable

Related to the work.

The nurse held a reasonable belief, at the time the threat was made, the person making it intended to carry it out and had the means to do so.

Exposure to a serious risk of psychological harm.

A disgruntled customer swears and loudly argues with a bank worker, but is separated from them by control measures such as secure barriers and security staff nearby. The customer leaves without escalating the situation.

#### ✘ Not notifiable

While the worker felt discomfort, they held no reasonable belief, at the time the threat was made that the person intended to carry it out and had the means to do so.

The PCBU should ensure appropriate worker support is available and controls are working as intended.

A customer yells “Someone will get you if you keep treating customers like this” at a retail worker while walking away, but has no history of violence and no known means to carry out the threat.

#### ✘ Not notifiable

While the worker felt discomfort, they held no reasonable belief, at the time the threat was made, the person making it intended to carry it out and had the means to do so.

The PCBU should ensure appropriate worker support is available and controls are working as intended.

A worker receives an anonymous email to their work email address saying “You’ll regret this.” There is no indication of who sent it or any means to act on the threat.

#### ✘ Not notifiable

While the worker felt discomfort, they held no reasonable belief, at the time the threat was made, the person making it intended to carry it out and had the means to do so.

The PCBU should ensure appropriate worker support is available and controls are working as intended.

A person receives a marketing phone call and threatens to assault the worker if they call them again. The person making the threat has had no prior interactions with the worker or business, and is unaware of the worker’s name or the business location.

#### ✘ Not notifiable

While the worker felt discomfort, they held no reasonable belief, at the time the threat was made, the person making it intended to carry it out and had the means to do so.

The PCBU should ensure appropriate worker support is available and controls are working as intended.

## 6.5 Links with criminal conduct and police investigations

If a violent incident meets the requirements for notification, it must be notified to the WHS regulator whether or not the incident involved criminal conduct and whether or not police have been notified. Violent incidents are still notifiable even if the perpetrator lacks capacity to form criminal intent (e.g. due to age or mental capacity).

Where police are involved in the incident, the WHS regulator will coordinate the investigations with police.

Notifying police does not constitute notification under WHS laws—PCBUs must separately contact the WHS regulator.

Police investigate the conduct of individuals, including a breach of criminal law, while WHS regulator investigations consider organisational WHS risk management.

## 6.6 If a victim does not want the incident notified

When a PCBU becomes aware of a violent incident, the PCBU has a duty to notify the WHS regulator.

When notifying a sexual assault incident, the PCBU must not include identifying information about the victim or survivor. The notification does not require the PCBU to provide sensitive details about the incident. See [section 8.8](#).

A person who has experienced or witnessed a violent incident may not want it notified. The PCBU should respond with care and sensitivity as communication with those involved is critical. For example, the PCBU should explain that they have a legal duty under WHS laws to notify certain incidents and that this duty exists to help prevent harm. The PCBU should include those involved in the process where appropriate, ensure privacy and confidentiality is maintained and offer appropriate support, such as access to counselling or employee assistance programs.

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

# 7. Notifiable extended absence

## Section 35A What is a *notifiable extended absence*

In this Act, *notifiable extended absence* of a worker means an absence that is reasonably attributable to a physical or psychological injury or illness arising from the conduct of the business or undertaking where:

- a) the worker has been absent from work for 15 or more consecutive days; or
- b) the worker anticipates, on the basis of a medical practitioner’s opinion, being absent from work for 15 consecutive days or more, and notifies the person conducting the business or undertaking of the anticipated absence.

## Section 38 Duty to notify of notifiable incidents, notifiable extended absences and notifiable acts of suicide

(1) A person conducting a business or undertaking must ensure that notice of a relevant occurrence is given to the regulator:

(b) for a notifiable extended absence—within 14 days after becoming aware of the extended absence.

Maximum penalty: tier D monetary penalty.

(1A) A notification under subsection (1) is only required once in relation to the same event or set of circumstances.

### In this section:

<a href="#">7.1 What is a notifiable extended absence</a>	→
<a href="#">7.2 Defining the 15 day absence period</a>	→
<a href="#">7.3 Worker’s absence – the link to work</a>	→
<a href="#">7.4 When does the notification need to be made?</a>	→
<a href="#">7.5 Systems and practices for worker absences</a>	→

 The duty to notify worker extended absences was introduced in the model WHS Act in 2025. Notification requirements may vary between jurisdictions. PCBUs should check with their WHS regulator to confirm whether this duty applies in their state or territory.

## 7.1 What is a notifiable extended absence

A PCBU must notify the WHS regulator if:

- a worker has been absent from work for 15 or more consecutive calendar days due to a work-related physical or psychological injury or illness, or
- a worker anticipates, on the basis of a medical practitioner’s (e.g. a doctor) opinion, being absent from work for 15 or more consecutive days due to a work-related physical or psychological injury or illness, and notifies the PCBU of the anticipated absence.

To trigger notification, the absence must be reasonably attributable to an injury or illness arising from the conduct of the business or undertaking, meaning it must be linked to work.

PCBUs must notify the WHS regulator within 14 days of becoming aware of the absence (or anticipated absence). See [Appendix A](#) about the information usually required by the WHS regulator in a notification.

This notification requirement aims to capture serious workplace injuries and illnesses that:

- develop over time
- are not immediately apparent following a workplace incident, or
- have a significant and extended impact on a worker, but did not meet other triggers for notification.

This notification duty is distinct from workers’ compensation arrangements. PCBUs must report any relevant absences in a timely manner, regardless of whether a compensation claim has been lodged or accepted.

The requirement to notify a worker’s extended absence applies even if an injury or illness occurred in the past, as the timing of exposure is not a factor. For example, a worker may develop a psychological injury months or years after a traumatic event at work. If the injury or illness arises from the conduct of the business or undertaking and results in the worker being absent from work for 15 or more consecutive days, the absence must be notified to the WHS regulator.



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

## 7.2 Defining the 15 day absence period

The 15 day absence period counts all calendar days, including weekends, public holidays, and non-working days, regardless of the worker's roster or work schedule. This applies to all types of work arrangements, including shift work, casual employment, and fly-in-fly-out (FIFO).

The absence must be continuous without any return to work during the 15 day period.

If a worker has several occurrences of 15 or more days' absence for the same injury or illness, but with periods of return to work, then subsequent notifications are not required for each absence period. However, if the person recovered and was reinjured or harmed which results in another absence period, a new notification is required.

### Example 1

#### Full-time worker (Monday to Friday schedule).

A full-time worker is injured due to a work task on a Thursday and takes sick leave to recover. Even though they missed 11 working days, the absence spans for 15 calendar days, so it must be notified.

### Example 2:

#### Casual worker with irregular shifts.

A casual worker usually works 3 days a week. They are unable to work for over 2 weeks due to a work-related illness. Even if they were only rostered for a few shifts, the absence is still counted in calendar days and is notifiable when it reaches 15 days.

### Example 3:

#### FIFO worker on a 2 weeks on/2 weeks off roster.

A FIFO worker is injured at work at the end of their rotation and does not return for their next rotation. As they are continuously unable to work for more than 15 calendar days, including their off time, the absence is notifiable (if in this scenario it was not already notified as a 'serious injury').

## 7.3 Worker's absence – the link to work

Only absences caused by injuries or illnesses arising from the conduct of the business or undertaking must be notified. This means that something at work, such as the work environment, work tasks, equipment, or interactions or behaviours caused, partially caused or exacerbated an injury or illness.

See [Table 12](#) for examples.

A PCBU should make the determination on whether the absence is related to work based on reasonable evidence. In many cases, a PCBU will become aware of a worker's absence being linked to work because the worker reports an injury, a medical practitioner provides advice, or the worker lodges a workers' compensation claim. Notification is required even if there is no specific diagnosis. The notification does not require a detailed investigation and can be made based on the information reasonably available to the PCBU.

Indicators that a worker's absence period may be related to work include:

- Worker self-reporting, for example if the worker previously reported concerns about injury, illness or psychological harm arising from work.
- A medical certificate linking the injury or illness directly to work. An employer may be able to ask an employee for reasonable evidence that they are not fit for work (noting the type of evidence requested must always be reasonable in the circumstances<sup>2</sup>).
- Workplace incident or injury reports prior to the absence.
- Absences following exposure to workplace hazards (e.g. chemicals, unsafe equipment, hazardous manual tasks and psychosocial hazards like high-pressure roles or repeated exposure to violence).
- Absences that occur shortly after a specific workplace event (e.g. a violent incident).
- Absences following changes to work tasks, the worker's role or the work environment.
- If appropriate, consider statements that have been made available by coworkers or supervisors which may indicate a work-related link to the injury or illness. It is important to maintain privacy and confidentiality.
- Workplace performance or investigations, for example if the worker's absence follows participation in a workplace investigation, performance management or disciplinary process.

Having processes in place to collect and record information will help build a clearer picture of the potential link between workplace conditions and worker absences.

- i** For cases where the injury or illness appears to be exacerbated by work or is partially work-related, whether the absence is notifiable is dependent on the circumstances. Notification is less likely to be required if the primary cause of the injury or illness has a strong connection to non-work activities, such as worker injuring themselves at home on the weekend.

<sup>2</sup> [Notice and medical certificates - Fair Work Ombudsman](#)

**Table 12: Notifiable extended absence scenarios****Note:**

- *The scenarios in this table are provided for guidance only. They are not exhaustive and whether notification is required will depend on the specific circumstances.*
- *The scenarios listed under 'Not notifiable' are typically excluded because the injury or illness is not related to work.*

**✓ Notifiable**

A worker takes extended sick leave for anxiety after repeated verbal abuse from customers. Early medical certificates did not link the absence to work, but a psychologist later confirmed the connection, prompting the PCBU to notify the WHS regulator. While the PCBU has met their duty, early signs (e.g. regular reports of customer aggression and the worker's visible distress) suggested a work-related cause. This highlights the need to notify as soon as a work-related factor is identified, even if medical confirmation is delayed, to ensure timely risk management.

A worker sustains a shoulder injury when throwing chains over a load on a truck. Following 6 months of physiotherapy, the driver has shoulder tendon repair surgery requiring more than 15 days recovery time off work. The absence is due to a work-related injury so the PCBU must notify the WHS regulator.

A pregnant retail worker develops abdominal pain after repeated lifting and long shifts. Her doctor links the pain to work and recommends 4 weeks off to prevent further harm. The worker provides medical documentation indicating the absence is due to work-related factors. The PCBU must notify the WHS regulator of the absence.

A worker experienced months of harmful workplace behaviours by a co-worker, including sexual harassment. The worker advised their manager about the issues and experiencing anxiety and insomnia. It is agreed the worker will take extended leave to recover. Recognising the connection between the harassment and the worker's condition, the PCBU notifies the WHS regulator of the absence without waiting for a diagnosis of a psychological injury.

A worker develops chronic back pain. Part of the worker's tasks is repeatedly lifting and transferring patients without mechanical aids or assistance. The condition worsens over time and the worker takes extended sick leave and lodges a workers' compensation claim. The medical certificate notes the cause is a musculoskeletal disorder which will require 4 weeks off work initially. As the medical certificate provides a causal link to work, the PCBU must notify the WHS regulator within 14 days. This obligation applies regardless of whether the workers' compensation claim is accepted, as WHS notification requirements are separate from workers' compensation processes.

A nurse takes 4 weeks sick leave, telling her supervisor it is due to burnout from a high workload and frequent exposure to traumatic incidents. The worker lodges a workers' compensation claim. Recognising the likely work-related cause, the PCBU notifies the WHS regulator without waiting for a diagnosis of a psychological injury or the outcome of the workers' compensation claim.

A worker injures their shoulder while working. They receive treatment and return to work on lighter duties, however they begin to lose mobility in their arm. A doctor confirms the issue is related to the original workplace injury. The worker takes extended leave for further treatment. Since the absence is linked to the earlier work-related injury, the PCBU notifies the WHS regulator.

A worker with a pre-existing back condition experiences a flare up in their injury after lifting heavy stock at work. Although the condition was not entirely caused by work, the work-related aggravation contributes to the injury and the worker is absent for more than 15 calendar days, so the absence is notifiable.

A worker has taken more than 15 days of sick leave after being placed on a performance improvement plan for underperformance. The medical certificate references "work-related stress". The PCBU believes the leave is related to the performance issues and management's actions. While the management action is reasonable, the absence is notifiable due to the information in the medical certificate.



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### Not notifiable

A worker takes 4 weeks sick leave due to pneumonia. The illness is unrelated to workplace conditions or exposures.

A worker breaks their leg while skiing on holiday and is unfit for work for 6 weeks. The injury did not arise from work.

A worker sprains their ankle on their day off. The worker needs to take 3 weeks off work to manage the injury. Given the primary cause was a non work-related activity and work is not reasonably attributable to the injury, it is not notifiable.

A worker takes extended leave and the medical certificate cites "anxiety and depression". From the information available, the PCBU has not identified any work-related factors linked to the absence.

This absence is not notifiable unless work-related factors become known.

## Medical information from a worker

Medical certificates or other documentation provided by the worker's treating doctor may not provide a clear indication of the cause of the worker's injury or illness or likely recovery time. Workers may be reluctant to volunteer additional information due to privacy concerns or stigma in the case of psychological injuries. Medical practitioners (e.g. doctors) may also not include this information on medical documentation in the absence of clear evidence of the cause of the illness or injury or a final diagnosis.

PCBUs should take into account the available information that may indicate work-relatedness and should consider the privacy of workers. Enquiries should avoid probing into personal circumstances.

## 7.4 When does the notification need to be made?

PCBUs must notify the WHS regulator within 14 days of becoming aware of a notifiable extended absence. This includes awareness of:

- the period of the absence being 15 or more consecutive calendar days, or the likelihood that it will be, based on the opinion of a medical practitioner (e.g. if provided with a medical certificate for the period), and
- the necessary work-related connection.

Some key points to consider about 'becoming aware' that the absence meets the notification criteria include:

- Delayed medical diagnosis - In some cases, the work-related nature of an injury or illness may only be identified after a medical diagnosis or treatment. PCBUs should notify the WHS regulator as soon as this connection is known.
- Retrospective awareness - If a PCBU becomes aware at a later time that the absence was work-related, they must notify the WHS regulator after discovering this information.
- PCBUs should have processes in place to track worker absences and maintain open communication with workers to understand if the absence is due to work-related factors.

Notification should be based on reasonable evidence, such as medical certificates, discussions with the worker or incident reports linking the absence to workplace factors. Notification does not need to be delayed if there is no specific diagnosis. The notification does not require a detailed investigation and can be made based on the information available to the PCBU.



**Scenario:** Reasonable management action by the PCBU leads to a worker's absence of 15 or more days. The medical certificate notes 'work-related stress' as a factor for the absence. While this absence 'arises from the conduct of the business or undertaking' and is notifiable, it does not indicate that the PCBU failed to manage WHS risks so far as is reasonably practicable.

**Notification does not mean that the PCBU has breached their WHS duties. Notifiable extended absences may occur even where the PCBU has managed all risks so far as is reasonably practicable.**

Notification of an extended absence is not required if:

- injuries or illnesses have already been notified to the WHS regulator due to other notification requirements (for example because the worker was admitted to hospital)
- situations involving partial incapacity, such as when a worker's duties or hours are modified, or
- where an extended absence has been notified to the WHS regulator, the worker returns to work, then has another period of extended absence for the same injury or illness (and work did not exacerbate the injury) - only one notification is required for the same event or set of circumstances.



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### 7.5 Systems and practices for worker absences

Where the PCBU or its officers are not personally aware of extended absence periods or the reasons for the absence, the PCBU will need systems in place to ensure they receive relevant information in order to meet their notification duties. For example, ensuring this information is captured in personnel leave systems or a basic leave log, having clear workplace policies and providing training to managers on when and how to internally report relevant absences.

Workers with psychological injuries or illnesses may fear being stigmatised or discriminated against. PCBUs should have supportive workplace practices, such as staying in regular contact with workers and helping them understand the purpose of notification and how their privacy and confidentiality will be maintained.

It is important to have clear processes that ensure personal and health information is only collected when necessary, stored securely, and used or disclosed only for lawful and proper purposes.

When WHS responsibilities are shared between PCBUs, there should be clear consultation, cooperation and coordination to share information.

### Workers' compensation and other reporting

The notification duty is separate from requirements under Commonwealth, state and territory workers' compensation laws.

Notification must be made to the WHS regulator if the absence meets the notification criteria, regardless of any workers' compensation matters or the involvement of other authorities, for example police investigations or notification to other regulatory bodies.

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

# 8. What to do after a notifiable incident, extended absence or suicide

## In this section:

8.1	What does a PCBU need to do?	→	8.9	Preserving the incident site and evidence	→
8.2	How to notify the WHS regulator	→	8.10	WHS regulator response to a notification	→
8.3	How quickly must a notification be made?	→	8.11	Coordinating with other authorities, police and Coroner	→
8.4	Notifying an extended absence	→	8.12	Protecting privacy and confidentiality	→
8.5	Who is responsible for notifying?	→	8.13	Further actions and providing support	→
8.6	Notification requirements for multiple PCBUs	→	8.14	Updating information	→
8.7	Notifications involving multiple WHS regulators	→	8.15	Record keeping	→
8.8	Information to be given to the WHS regulator	→	8.16	Still unsure?	→

### Prioritise health and safety

First and foremost, ensure people receive prompt medical attention and address any immediate risks to health and safety.



## 8.1 What does a PCBU need to do?

The model WHS laws require a person conducting a business or undertaking (PCBU) to:

1. Report a notifiable incident, notifiable suicide or attempted suicide immediately after becoming aware it has happened, by the fastest possible means.
2. Report a notifiable extended absence to the WHS regulator **within 14 days of becoming aware**.
3. Provide written notification within 48 hours if required by the WHS regulator.
4. The person with management or control of the workplace must, so far as is reasonably practicable, ensure the site is preserved until released by an inspector, and ensure evidence is preserved.

A notification is only required once in relation to the same event or set of circumstances.

Failing to notify and preserve the site and evidence are offences and penalties apply.

**Notification does not mean that the PCBU has breached their WHS duties. Notifiable incidents, notifiable extended absences and notifiable suicides may occur even when the PCBU has managed all risks so far as is reasonably practicable.**

## 8.2 How to notify the WHS regulator

Notifications can be made to the [WHS Regulator](#) 24 hours a day, 7 days a week. The notice must be given in the fastest way possible. This could be by telephone, email or an online form (if available).

The WHS regulator must still be notified even if other authorities, including emergency services or police, are contacted.

Appendix A sets out what information may be requested by the WHS regulator when the notification is made.

Note that while initial notification may include limited information, the WHS regulator may seek further information at a later time.

See [Appendix B](#) for WHS regulator contact details.

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### 8.3 How quickly must a notification be made?

A PCBU must report a notifiable incident or notifiable suicide to the WHS regulator immediately after becoming aware of the incident. A notifiable extended absence must be notified within 14 days of becoming aware of the absence (and its connection to work).

A PCBU does not need to carry out an investigation before making a notification. If it is likely the notifiable incident, notifiable extended absence or notifiable suicide meets notification criteria based on the information available, a PCBU must notify the WHS regulator at that time.

There can sometimes be a delay in notification because the seriousness of an event, or a connection to work, is not immediately apparent. This may be the case for psychological injuries, notifiable extended absences or work-related (or suspected work-related) suicide or attempted suicide.

A PCBU is generally considered to be 'aware' of a notifiable incident, notifiable suicide or notifiable extended absence once any person in the leadership team or those with decision-making authority (such as a manager or supervisor) has been informed. For example, if a worker suffers a serious injury and reports it to their supervisor, the PCBU is considered to be aware of the notifiable incident from that moment.

**Table 13: Timing of notification**

**Note:** A notification is only required once in relation to the same event or set of circumstances.

Occurrence	Work-related test	Timing of reporting
Death of a person	'Arising from the conduct of the business or undertaking'	Immediately after becoming aware
Suicide or attempted suicide of a worker (including suspected)	Presence of specific factors or circumstances	Immediately after becoming aware
Suicide or attempted suicide of a person other than a worker at a workplace	Reasonably foreseeable risks due to nature of the workplace and physical hazards at the workplace that could be used in a suicide	Immediately after becoming aware
Serious injury or illness	'Arising from the conduct of the business or undertaking'	Immediately after becoming aware
Dangerous incident	'Arising from the conduct of the business or undertaking'	Immediately after becoming aware
Violent incident (physical or sexual assault, deprivation of liberty, serious threat)	'Arising from the conduct of the business or undertaking'	Immediately after becoming aware
Absence period of 15+ consecutive calendar days (including anticipated absence) due to physical or psychological injury or illness	'Arising from the conduct of the business or undertaking'	Within 14 days of becoming aware

### 8.4 Notifying an extended absence

A PCBU must notify the WHS regulator of a notifiable extended absence within 14 days of the PCBU becoming aware of the absence, or the anticipated absence.

If a medical certificate provided before the 15 day period indicates the worker will be absent for this period, the PCBU becomes aware of the absence period at this time and has 14 days to notify.

A notification is only required once in relation to the same event or set of circumstances. For example, a PCBU who has notified the WHS regulator of a notifiable incident at the workplace (e.g. a serious injury) is not required to notify the regulator again if the incident subsequently results in the absence of a worker for 15 days or more.

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

## 8.5 Who is responsible for notifying?

### **Section 38 Duty to notify of notifiable incidents, notifiable extended absences and notifiable acts of suicide**

(1) A person conducting a business or undertaking must ensure that notice of a relevant occurrence is given to the regulator:

- a) for a notifiable incident or notifiable suicide—immediately after becoming aware of the incident or suicide; or
- b) for a notifiable extended absence—within 14 days after becoming aware of the extended absence.

Maximum penalty: tier D monetary penalty.

(1A) A notification under subsection (1) is only required once in relation to the same event or set of circumstances.

### **Section 39A Person conducting business or undertaking and person with management or control of workplace to notify each other of certain matters**

(1) A person with a duty under section 38 must, immediately after becoming aware of the relevant occurrence activating the duty, ensure a person with a corresponding duty under section 39 is notified of the relevant occurrence, so far as is reasonably practicable.

Maximum penalty: tier D monetary penalty.

(2) A person with a duty under section 39 must, immediately after becoming aware of the relevant occurrence activating the duty, ensure a person with a corresponding duty under section 38 is notified of the relevant occurrence, so far as is reasonably practicable.

Maximum penalty: tier D monetary penalty.

The PCBU, who is usually the employer (or a self-employed person), is responsible for ensuring notifiable incidents, notifiable extended absences and notifiable suicides are notified to the WHS regulator.

A manager, supervisor or other worker may be given the task to notify the WHS regulator (such as submitting an online form), but the legal responsibility to ensure the notification has been made rests with the PCBU.



Changes were introduced in the model WHS Act in 2025 to ensure the PCBU and the person with management or control of the workplace (when these are different people) notify each other as soon as they become aware of a notifiable incident, notifiable extended absence or notifiable suicide.

This is to ensure that both parties can meet their legal obligations, particularly the duty to notify the WHS regulator (i.e. the duty held by the PCBU), and to preserve the incident site and evidence (i.e. the duty held by the person with management or control of the workplace). This is especially important in shared or multi-PCBU workplaces, where one party may become aware of the notifiable incident, notifiable suicide or notifiable extended absence before the other.

This duty does not require duplicate notifications to the WHS regulator—only one notification is required. But it does require effective communication between duty holders to ensure all responsibilities are met.



PCBUs should check with their WHS regulator to confirm whether this duty applies in their state or territory

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### 8.6 Notification requirements for multiple PCBUs

Where a notifiable incident, notifiable extended absence or notifiable suicide involves multiple PCBUs (e.g. a construction site may have a principal contractor, subcontractors and work with a labour hire company), the following practices are recommended:

- ✓ Establish clear notification protocols in advance, such as written agreements or procedures that clarify which PCBU will notify the WHS regulator and how information will be shared.
- ✓ All PCBUs involved must ensure notification occurs, even if one PCBU takes the lead.
- ✓ Consult, cooperate and coordinate with other PCBUs so far as is reasonably practicable to ensure timely and accurate notification, consistent information and clear responsibilities and processes for site and evidence preservation.
- ✓ Keep records of who was notified, when, and any agreements or communication between PCBUs.
- ✓ Contact the WHS regulator if there is uncertainty about notification responsibilities.

### 8.7 Notifications involving multiple WHS regulators

Some workplaces may be covered by both Commonwealth and state or territory WHS laws, or an event may involve more than one state or territory WHS regulator. In these cases, PCBUs must:

- ✓ Identify which regulators must be notified. This will depend on the business' coverage under Commonwealth or state or territory WHS laws and where the event occurred.
- ✓ Notify all relevant regulators. If an event meets notification requirements under multiple WHS (or other) laws, each regulator must be notified separately. Other reporting requirements may be necessary, for example health departments, transport, maritime or electrical regulators.
- ✓ Work with regulators to clarify responsibilities, avoid duplication, and ensure compliance with all requirements including incident response and site preservation.
- ✓ Follow all regulators' instructions. Each regulator may have specific requirements for reporting and investigations.
- ✓ Keep records of notifications, communications and actions taken across jurisdictions.

### 8.8 Information to be given to the WHS regulator

The WHS regulator will ask for a clear description of the event to inform their triaging and response. **In some cases this may be limited to providing de-identified information—this approach is taken for sexual assault incidents.**

[Appendix A](#) sets out the information which may be requested by the WHS regulator.

The WHS regulator will assess whether the event meets the criteria of a notifiable incident, notifiable extended absence or notifiable suicide. The regulator will advise what type of response they will provide, including instructions on preserving the site and evidence, or whether an inspector will release part or all of the site.

The WHS regulator may follow-up with a request for more information. The PCBU must provide the required information in writing within 48 hours of the request being made.

#### Sexual assault incident reporting - information given to the WHS regulator

Some sexual assault incidents (including suspected sexual assault) are notifiable incidents under the model WHS laws.

When notifying a sexual assault incident, the PCBU must not include identifying information about the victim/survivor. The notification does not require the PCBU to provide sensitive details about the incident (see the scenario below for PCBUs who may be self-employed or a sole trader). The WHS regulator may provide a separate notification form for sexual assault incidents.

See [section 8.12](#) about confidentiality and privacy matters.

#### Notifiable extended absence reporting - information given to the WHS regulator

For notifiable extended absences, the WHS regulator may request the following information (where it is available) to support triaging and response:

- A brief description of the injury or illness (e.g. psychological injury, musculoskeletal injury, respiratory illness).
- Summary of how the injury or illness is reasonably attributable to the conduct of the business or undertaking (e.g. exposure to a violent incident, manual handling, workplace chemical exposure).
- Date of the worker's last attendance at work and anticipated or actual return date.

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

## 8.9 Preserving the incident site and evidence

### Section 39: Duty to preserve incident site and evidence

(1) The person with management or control of a workplace at which there has been a relevant occurrence must, so far as is reasonably practicable, ensure that:

- a) the site of the occurrence is preserved until released by an inspector; and
- b) evidence of the occurrence, including electronic and digital records and witness details, is preserved.

Maximum penalty: tier D monetary penalty.

(1A) To avoid doubt, an inspector may, for subsection (1)(a), release the whole site or a part of the site.

(2) In this section a reference to a site includes any plant, substance, structure or thing associated with the relevant occurrence.

(3) This section does not prevent any action:

- a) to assist an injured person; or
- b) to remove a deceased person; or
- c) that is essential to make the site safe or to minimise the risk of a further relevant occurrence; or
- d) that is associated with a police investigation; or
- e) for which an inspector or the regulator has given permission.

 The duty to preserve evidence was introduced in the model WHS Act in 2025. Notification requirements may vary between jurisdictions. PCBU's should check with their WHS regulator to confirm whether this duty applies in their state or territory.

The person with management or control of the workplace is responsible for preserving the incident site and evidence, so far as is reasonably practicable.

Preserving an incident site and any related evidence means maintaining the site as it was when the event occurred. The site and evidence preservation duties apply to the extent that is reasonably practicable.

Site and evidence preservation allows the WHS regulator to investigate the scene and gather evidence that is critical to understanding the cause and circumstances of the event.

Preserving a site does not prevent duty holders from taking actions needed to assist an injured person, remove a deceased person, make the site safe or to minimise the risk of another event, assist a police investigation (the site may be lawfully disturbed by police or under their direction) or to do things which the WHS regulator has given permission.



### What is the incident site?

The incident site is the area at the workplace where the notifiable incident, notifiable extended absence or notifiable suicide occurred and includes any plant, substance, structure or thing associated with the event. For example, the site extends to any area within the workplace where:

- any substances have escaped, spilled or leaked, and
- any debris, including plant debris, or objects have fallen because of the event.



### What is 'evidence'?

Evidence at the site, and in any other way related to the notifiable incident, notifiable extended absence or notifiable suicide, must be preserved so far as is reasonably practicable. Depending on the circumstances, evidence may include:

- Tools, machinery or personal protective equipment. These should be maintained, for example the position of guards or controls for machinery involved.
- Workplace conditions such as layout, floor surfaces, lighting and temperature.
- Documentation and records of things such as systems of work used (including instructions), workplace policies, procedures, risk assessments, training logs, human resources data, maintenance history of plant and equipment operation data.
- Digital evidence such as security camera footage and online communications.
- Testimonies of any persons involved, or who witnessed the event, including those who provided first aid.



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)



### What is ‘reasonably practicable’ when preserving the site and evidence?

The requirement to preserve the incident site and evidence is subject to what is reasonably practicable depending on the particular situation. This means doing what is reasonably able to be done to preserve the site and evidence in the circumstances, weighing up relevant matters. While every effort should be made to maintain the conditions of the site and evidence, there are circumstances where this may not be reasonable or possible. Factors can include:

- **Safety considerations.** If preserving the site as it was at the time of the event presents a risk to any person’s health or safety, those risks must be managed as a priority. For example, there may be exposure to hazardous materials, a structure may be unstable or there is a fire hazard.
- **Environmental factors.** Weather conditions may affect the ability to preserve the site or evidence. For example, rain may wash away critical evidence. If safe to do so, consider documenting or photographing the conditions.
- **Essential needs.** In some cases, preserving the site may interfere with essential operations. For example, if critical infrastructure needs to be restored.
- **No incident site.** For example, incidents relating to psychological harm or injuries from manual tasks which may cover a range of work areas or work tasks.
- **Extent of management or control and timing.** For example, in some cases it may not be reasonably practicable to prevent public access, or at the time at which a link to work is identified, it may mean there is no site or there is little evidence to preserve.

#### Example scenarios:

- A crane that tipped over was leaking fuel onto the ground. To prevent the fuel igniting, several loads of sand were spread on the fuel and around the crane. The scene is then maintained (e.g. the crane is not brought upright or the cab accessed).
- A chemical spill was cleaned up to limit the spread of harmful fumes to neighbouring properties, and pallets of stock were moved to enable emergency vehicles to have access.
- An incident is confined to one office in an office building, and there is no immediate risk to health and safety of people in other parts of the building. Only the office where the incident occurred is preserved via restricted access.
- A worker has an extended absence due to a musculoskeletal injury. Due to the worker’s leave being extended, the person with management or control of the workplace only becomes aware of the notifiable extended absence after 15 days has passed. While there is limited relevant evidence, the worker’s workstation set up and records of hours worked are preserved.

For notifiable incidents, notifiable extended absences and notifiable suicides, if the site or evidence cannot be preserved as it was at the time of the event, the person with management or control of the workplace should thoroughly document any changes as accurately as possible and report these to the WHS regulator. This may include taking photographs and videos, making detailed notes, or preserving samples of materials if safe to do so.

- If unsure, the PCBU should contact the WHS regulator to discuss requirements and arrangements for their particular circumstances.

### Preserving the incident site and evidence for certain events

For some notifiable incidents (such as violent incidents), notifiable suicide, attempted suicide or a notifiable extended absence, there may be challenges in preserving the site or limited physical evidence at the workplace relevant to the event. For example, there may not be a person with management or control of the site (e.g. a suicide in a private residence or public place) or there is a delay in making the notification because harm occurs over time (e.g. becoming aware of the link to work for a notifiable extended absence).

Duty holders can still take practical steps to meet their WHS duties in these cases. For example:

- Preserve relevant workstations, assembly lines, machinery or vehicle set-ups, manual handling areas or confined workspace configurations.
- Preserve information such as timelines or information from people involved (e.g. witnesses). Maintain accurate records of communication, such as emails and meeting notes while maintaining privacy and confidentiality.
- Preserve digital evidence such as surveillance footage, pass access, attendance records or online communication that could provide insight into the event.
- Retain documents such as risk assessments and hazard reports, working conditions and the physical work environment (e.g. its design and equipment used), workplace policies and procedures that were in place at the time (e.g. related to psychosocial risk management), relevant training or communications provided to workers.



### Does the whole workplace need to shut down?

The duty to preserve the site applies to the area where the event occurred (including other relevant areas and plant), and may not include the whole workplace.

It may be possible for work to continue in areas of the workplace that are outside of the site. If work is continued, it must not affect the incident site or evidence.

- If unsure, contact the WHS regulator to discuss any potential impacts on the workplace and arrangements.



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### 8.10 WHS regulator response to a notification

#### What happens after the WHS regulator is notified

The WHS regulator will assess the information provided by the PCBU to determine the appropriate response. This may include sending an inspector to the incident site.

However, an inspector will not always attend the site, particularly if no immediate intervention is needed or where there is no physical site to visit, for example in the case of psychological injuries. The WHS regulator may manage the notification remotely, such as releasing the site over the phone after reviewing the details to allow work to resume.

It is important that PCBUs provide the most accurate information that is available to them when notifying the WHS regulator to help the regulator make an informed decision about their response.

A WHS regulator's response to the notification of an extended worker absence may differ from other notifications, as they may not trigger an individual regulatory response. However, depending on the circumstances, the WHS regulator may still choose to investigate or take other action. The information received may also help identify emerging risks and support the development of preventative strategies across industries.

#### Disturbing the site

The WHS regulator may allow a site to be disturbed after considering the specific circumstances of a notifiable incident, notifiable extended absence or notifiable suicide. Ask your WHS regulator for further information when you make the notification.

#### Non-disturbance notice

The WHS regulator may decide that an incident site should remain undisturbed in order to facilitate an investigation. In this case, an inspector may issue a non-disturbance notice.

### 8.11 Coordinating with other authorities, police and Coroner

A PCBU is responsible for notifying the WHS regulator of notifiable incidents, notifiable extended absences and notifiable suicides. This duty is independent of any involvement or notifications to other agencies or organisations.

When a notifiable incident, notifiable extended absence or notifiable suicide occurs, multiple parties may become involved, such as emergency services, police, safety regulators, legal representatives, unions and victim support services.

While these parties have an important role, their involvement does not replace or delay the PCBU's duty to notify the WHS regulator. The PCBU must promptly notify the WHS regulator even if another agency is already investigating the event or has been notified.

The PCBU's role in investigating notifiable incidents, notifiable extended absences or notifiable suicides must be appropriate to their duties under WHS laws (e.g. to identify any risks to health and safety). This should not interfere with any investigation by police, the WHS regulator or other authorities. PCBU's should coordinate with these authorities and take care not to disturb the incident site unless necessary to protect health and safety or as directed. It is important to cooperate with investigations and keep records of any actions taken.

#### Notifications to other authorities

Some events may require reporting under other legal or industry requirements. This is separate to WHS notification requirements. In some cases, there may be overlapping jurisdictions between WHS regulators. See [section 8.7](#).

#### Working with emergency services, police and criminal matters

When a notifiable incident, notifiable extended absence or notifiable suicide occurs, the person with management or control of the workplace, police and emergency services may have different roles and responsibilities.

The person with management or control of the workplace is responsible for preserving the site and evidence. Police may lawfully disturb the site, or it may be done under their direction. Emergency services (such as fire or ambulance) may need to access or alter the site to provide an emergency response.

Some events may also be criminal offences and should be notified to the police. While WHS regulator and police investigations may happen at the same time, WHS investigations are centred on organisational WHS risk management systems, while police investigations address criminal liability.

#### Workplace deaths including work-related suicide

Alongside WHS investigations, workplace deaths involve the police, and depending on the circumstances, there may be a coronial inquiry into the incident. While each authority has a distinct role, they may collaborate if their investigations overlap.

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### 8.12 Protecting privacy and confidentiality

It is important to protect privacy and confidentiality when managing notifiable incidents, notifiable extended absences and notifiable suicides.

Information about the event and the people involved should be shared only for authorised purposes and when required to meet legal obligations. Prioritise confidentiality throughout the process and ensure information is stored securely. Protecting confidentiality is particularly important to avoid further psychological harm to individuals. These events can have a considerable impact on those involved, their family members, colleagues and others.

-  Seek advice from a legal professional or the WHS regulator if unsure about what information can be collected or shared.

### 8.13 Further actions and providing support

PCBUs have a duty to manage both the immediate and ongoing health and safety risks related to notifiable incidents, notifiable extended absences and notifiable suicides. These events can have a significant ripple effect across the workforce. PCBUs should consider this when coordinating support and communication with workers.

Here are some key matters to consider:

- Identify hazards and implement any immediate risk control measures to prevent similar events in the future. PCBUs must consult with workers and any Health and Safety Representatives about managing work health and safety risks. Ensure controls are monitored and reviewed.
- Communicate relevant information (while maintaining confidentiality and privacy) to affected parties and provide information about investigation processes. Clear communication helps manage concerns and ensures that everyone involved understands their role and the steps being taken.

- Workers may feel uncertain or reluctant about a notifiable incident, notifiable extended absence or notifiable suicide (or attempted suicide) being reported. These events can be deeply distressing, whether workers are directly involved or not. It is important that the PCBU responds with care and sensitivity, recognising that respectful communication is critical. The PCBU should explain their legal duty under WHS laws to notify certain workplace events, and that this obligation exists to help prevent harm and protect all workers. Where appropriate, those affected should be included in the process, with their privacy and confidentiality maintained.
- PCBUs should check in with workers and make sure they are able to continue to work safely and to determine if adjustments are required to manage psychosocial risks. Provide access to support services immediately and make sure workers are aware of any support systems in place including Employee Assistance Programs, or resources such as those listed in Appendix B. Ensure that access to counselling or other services is confidential.

-  For information on managing psychosocial hazards, see the [model Code of Practice: Managing psychosocial hazards at work](#).

### 8.14 Updating information

A notification is only required once in relation to the same event or set of circumstances.

However, contact the WHS regulator if information is received that changes the type of event which was notified.

For example, if the PCBU has notified a serious injury or illness, which later results in death, the PCBU should advise the WHS regulator of this immediately after becoming aware.



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### 8.15 Record keeping

#### **Section 38 Duty to notify of notifiable incidents, notifiable extended absences and notifiable acts of suicide**

(7) A person conducting a business or undertaking must keep a record of each notifiable incident, notifiable extended absence or notifiable suicide for at least 5 years from the day that notice of the incident, extended absence or suicide is given to the regulator under this section.

Maximum penalty: tier F monetary penalty.

A PCBU must keep records of notifiable incidents, notifiable extended absences and notifiable suicides for at least 5 years from the date of notification to the WHS regulator. Penalties apply for failing to do so.

Useful records to keep include:

- Confirmation from the WHS regulator of having made the notification and any directions or authorisations given by an inspector.
- Correspondence with all relevant authorities including the WHS regulator, police or Coroner.
- Internal records such as steps taken to preserve the incident site and evidence, internal investigation findings and actions taken after the incident, pre and post WHS management systems, emergency response records, legal and insurance documentation.

The person with management or control of the workplace is responsible for preserving the incident site and evidence, so far as is reasonably practicable. Whether particular evidence of an event is considered a 'record' of the incident that must be kept by the PCBU will depend on the evidence in question. For example:

- CCTV of the event is likely evidence that can be retained as a record.
- A physical object from the incident site is likely to be evidence, but is unlikely to be a record.
- An incident notification form related to the event is likely to be both evidence and a record.

 Please note that PCBUs may have other record keeping duties under the model WHS laws.

### 8.16 Still unsure?

If there is in any doubt about whether the duty to notify applies in a particular case or what to do after a notifiable incident, notifiable extended absence or notifiable suicide occurs, contact the WHS regulator for advice.

Contact details are at [Appendix B](#).

**i** The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

**Appendix A**

# Details requested by the WHS regulator

**i** **Sexual assault incident reporting**

When notifying the WHS regulator of a sexual assault incident, only provide the:

- name and contact details of the PCBU
- a description of the workplace where the alleged incident happened, and
- whether or not it was reported to police.

Your WHS regulator may have a separate notification form for notifying these incidents to ensure privacy and confidentiality.

WHS regulators decide what information they require from a PCBU in a notification. This may include the following:

**What happened**

- What type of event it is e.g. a death, serious injury or illness (including prescribed illness/zoonoses), dangerous incident, violent incident, worker absence period, suicide or attempted suicide. In categorising the event when notifying, prioritise the more serious impact (e.g. death over injury, and injury over dangerous incident).
- Brief description of the event, including things like the work/activity being undertaken at the time, plant, substances or equipment involved, environment and workplace conditions (if relevant), who was performing/directing the task, role of any others involved.
- Nature of the injury/illness, e.g. serious head injury; large open wound on the leg with significant blood loss; psychological injury; musculoskeletal injury.
- Describe what controls were in place at the time to minimise the chances of such an event or the severity of consequences.
- Whether the event occurred at a Major Hazards Facility (MHF) or facility undergoing assessment as a MHF – if yes, was it a ‘major incident’ and/or involve a ‘major incident hazard’?
- Did the work involve specified work, plant or substances: Licensed High-Risk Work; Plant that requires registration; Interaction with asbestos; Lead Risk Work; Prohibited/Restricted chemicals; ‘Plant’ other than registered plant; Plant that requires design registration; Demolition Work; Chemicals held in manifest quantities.

The information to be provided is to the extent that is known at the time of the event – no investigation needs to have taken place prior to notification.

**When and where did it happen**

- Date and time of the event.
- Date the worker last attended work and when they returned (for notifiable extended absences).
- You may be asked to describe the specific location of the event (e.g. the specific area of the warehouse) to assist instructions about site and evidence preservation.

**Who did it happen to**

- Name(s), date of birth, address and contact number of the affected person/s, if known – this should not be provided for sexual assault incidents.
- Relationship of the affected person/s to the PCBU, e.g. employee, contractor, member of the public.

**How and where is the person being treated**

- Treatment given on-site, e.g. basic first aid or attendance of paramedics.
- Where has the person been taken for treatment (if applicable).



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

### What has/is being done at the incident site

- Description of immediate response actions at the workplace (if any) – e.g. treatment of people, barricades, isolation of power to stabilise the situation.
- Description of the response by the PCBU (if different to above) – is the risk elsewhere in the workplace and has the PCBU taken/is taking action.
- Confirmation that the PCBU has/is preserving the site and evidence, and how.
- Description of any changes made to the incident site.
- An assessment that the risk to health and safety is now eliminated/controlled so far as is reasonably practicable.
- Any other authorities notified.
- Explanation for any delay in notification.

### Who is the PCBU (there may be more than one)

- Legal and trading name. Business address (if different from incident address), ABN/ACN and contact details including phone number and email.
- Provide the same details of the person with management or control of the workplace.
- Option to identify any other PCBUs involved.

### Who is notifying

- Notifier's name, contact phone number, work email and position at workplace.
- PCBU contact if not the notifier.

### Notifiable extended absence information

- The type of employment, e.g. a direct employee, contractor, apprentice or volunteer.
- A brief description of the injury or illness (e.g. psychological injury, musculoskeletal injury, respiratory illness).
- Summary of how the injury or illness is reasonably attributable to work (e.g. exposure to a violent incident, manual handling, workplace chemical exposure).
- Date of last attendance at work and anticipated or actual return date.



The WHS regulator may follow-up with a request for more information if necessary. The PCBU must provide the information in writing within 48 hours of the request being made.

 The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

**Appendix B**

# WHS regulator contact details and crisis services

**WHS Regulators**

Jurisdiction	Regulator	Telephone	Website
New South Wales	SafeWork NSW	13 10 50	<a href="http://safework.nsw.gov.au">safework.nsw.gov.au</a>
Victoria	WorkSafe Victoria	1800 136 089	<a href="http://worksafe.vic.gov.au">worksafe.vic.gov.au</a>
Queensland	WorkSafe Queensland	1300 362 128	<a href="http://worksafe.qld.gov.au">worksafe.qld.gov.au</a>
South Australia	SafeWork SA	1300 365 255	<a href="http://safework.sa.gov.au">safework.sa.gov.au</a>
Western Australia	WorkSafe WA	1300 307 877	<a href="http://worksafe.wa.gov.au">worksafe.wa.gov.au</a>
Australian Capital Territory	WorkSafe ACT	02 6207 1923	<a href="http://worksafe.act.gov.au">worksafe.act.gov.au</a>
Tasmania	WorkSafe Tasmania	1300 366 322 (Tas) (03) 6166 4600 (External)	<a href="http://worksafe.tas.gov.au">worksafe.tas.gov.au</a>
Northern Territory	NT WorkSafe	1800 019 115	<a href="http://worksafe.nt.gov.au">worksafe.nt.gov.au</a>
Commonwealth	Comcare	1300 366 979	<a href="http://comcare.gov.au">comcare.gov.au</a>

**Crisis services**

Organisation	Telephone	Online
Lifeline Australia	24/7 Crisis support line: 13 11 14 24/7 Text support: 0477 13 11 14	Online chat: <a href="http://www.lifeline.org.au">www.lifeline.org.au</a>
Beyond Blue	24/7 Support: 1300 22 46 36	Online chat: <a href="http://www.Beyondblue.org.au">www.Beyondblue.org.au</a> Email support: <a href="#">Get in touch</a>
Suicide Call Back Service	24/7 Counselling: 1300 659 467	Online counselling and resources: <a href="http://www.suicidecallbackservice.org.au">www.suicidecallbackservice.org.au</a>
MensLine Australia	24/7 Support: 1300 78 99 78	Online counselling: <a href="http://www.mensline.org.au">www.mensline.org.au</a>
StandBy	Support after suicide: 1300 727 247	<a href="http://www.standbysupport.com.au">www.standbysupport.com.au</a>
Qlife	LGBTIQ+ service available 3pm-midnight: 1800 184 527	Online chat: <a href="http://www qlife.org.au">www qlife.org.au</a>
Open Arms	Veterans and families counselling and 24/7 support: 1800 011 046	<a href="http://www.openarms.gov.au">www.openarms.gov.au</a>

**Indigenous-specific services**

Organisation	Telephone	Online
13YARN	24/7 Crisis support line: 13 92 76	<a href="http://www.13yarn.org.au">www.13yarn.org.au</a>
Thirrili	24/7 Indigenous postvention service: 1800 805 801	<a href="http://www.thirrili.com.au">www.thirrili.com.au</a>



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

## Appendix C

# What is psychological harm?

Psychological harm refers to the negative impact on a person's mental, emotional or cognitive wellbeing from workplace exposure to psychosocial hazards. It can result from single traumatic events (such as a violent incident) or cumulative exposure to stressors like bullying, harassment, high job demands or poor support.

Symptoms of psychological harm can include (but are not limited to):

- anxiety or panic attacks
- sleep disturbance or nightmares
- persistent low mood
- flashbacks or hypervigilance
- withdrawal from social activities
- difficulty concentrating, and
- loss of confidence.

Psychological harm symptoms can impair work performance, lead to extended absences, or require professional treatment. In severe cases, psychological harm may contribute to suicidal thoughts.

### Examples relevant to WHS notifications:

- A worker develops panic attacks after being physically assaulted (notifiable violent incident).
- A worker attempts suicide due to an excessive workload and job insecurity (notifiable attempted suicide).
- A teacher is diagnosed with depression after months of workplace bullying and takes 2 months off work (notifiable extended absence).
- A worker experiences ongoing distress following threats from a client (notifiable violent incident).
- A retail worker develops anxiety from repeated verbal abuse from customers and takes 3 weeks off work (notifiable extended absence).



The requirements outlined in this handbook **do not apply** unless adopted in your jurisdiction. [Check with your WHS regulator.](#)

# Glossary

This glossary provides plain English explanations of key terms used in this handbook. Where terms have specific legal definitions under the model WHS Act or Regulations, these are summarised for clarity. For full legal definitions, refer to the relevant legislation.

Term	Definition
Dangerous incident	Event set out in section 37 of the model WHS Act that immediately or imminently exposes a person to a serious risk to their health or safety.
Event	This term is used to describe situations which may require notification under model WHS laws, such as notifiable incidents, notifiable extended absences and notifiable suicides.
Notifiable extended absence	The absence of a worker of 15 or more consecutive calendar days due to a work-related injury or illness.
Notifiable incident	A death, serious injury or illness, dangerous incident, or violent incident arising from the conduct of the business or undertaking.
Notifiable suicide	A suicide or attempted suicide with identifiable links to work or the workplace.
PCBU	A person conducting a business or undertaking (PCBU) has the primary duty of care to ensure the health and safety of workers and others at the workplace.
Prescribed illness	Infections and zoonoses arising from work as set out in regulation 699 of the model WHS regulations.
Psychological harm	Negative impact on a person's mental, emotional or cognitive wellbeing from workplace exposure to psychosocial hazards (e.g. violence, bullying, high job demands).
Relevant occurrence	This term describes what must be notified to the WHS regulator. A 'relevant occurrence' includes notifiable incidents, notifiable extended absences, and notifiable suicides (including attempted suicides).
Serious injury or illness	Injuries and illnesses as set out in section 36 of the model WHS Act.
Violent incident	This term as set out in section 37A of the model WHS Act means one of the following work-related incidents that exposes a person to a serious risk of psychological harm: a physical assault (including sexual assault); deliberate deprivation of a person's liberty (without lawful authority); or a threat of physical assault or a threat to deprive a person of the person's liberty, with the means and intent to immediately carry out the threat.
WHS regulator	Authority responsible for enforcing WHS laws in each jurisdiction.