

<b>Policy Name</b>	<b>Accident Policy &amp; Procedure</b>
<b>Related Policies and Legislation</b>	First Aid Policy Emergency and Critical Incident Management Plan Occupational Health and Safety Act 1989 Workers Compensation and Injury Management Act 1981
<b>Policy Category</b>	Student Wellbeing and Safety Staff Wellbeing and Safety
<b>Relevant Audience</b>	All Treetops Community
<b>Date of Issue / Last Revision</b>	22 April 2010 14 March 2013 12 May 2016 23 March 2017
<b>Date Set for Review</b>	March 20
<b>Person/s Responsible for Review</b>	Treetops Administration

## Accident Policy & Procedure

### **Purpose**

This policy outlines the process for dealing with accidents on the school site or whilst on excursions, camps, or student work placement.

### **Rationale**

This policy outlines the procedures to be followed by school staff in the event of an accident/incident that causes or is likely to cause injury, including psychological injury (e.g. bullying), to a student that occurs at school or during a school-organised activity. It also contains the procedures which apply to ambulance transportation of students.

The policy includes the responsibilities of staff in relation to the completion, storage and use of Student Accident Reports, requirements for witness statements and the Department of Education Services (DES) Directorate's obligations for reporting notifiable injuries and/or incidents and the provision of information to parents, students and others concerning injuries/incidents.

## Definitions

An **accident** is an event or mishap involving a student enrolled in the school which occurs while the student is attending school or involved in an approved school-organised activity, such as an excursion, where the student is injured and first aid intervention and/or professional medical services are required.

An **incident** is an event that results in or is likely to result in injury/illness, for example dangerous occurrences and bullying and harassment. It includes a 'near miss'. The process for managing Incidents is covered by the *Emergency and Critical Incident Management Plan*.

Parent(s) includes all people who have parental responsibility for a child.

First aid intervention is the immediate care of an injured or suddenly sick person prior to obtaining professional medical services, if required. It includes first aid, maintenance of records, and recognition and reporting of hazards.

Professional medical services include attention provided by medical practitioners, dentists, nurses and ambulance personnel.

Under the principle of vicarious liability, school employees, in the course of their employment, are protected in law should legal action be initiated, provided they have acted responsibly, within their level of competence, and followed established policies and guidelines and with proper motive.

## Procedure

### What should be done when an accident happens?

- On becoming aware of an accident, staff should, so far as they are able, render first aid to the injured student/s.
- Where a qualified first aid officer is available, that officer should provide assistance as soon as possible.
- Except where the accident is considered minor (for example where first aid intervention is not required), a parent must be informed. For a serious accident (for example, where professional medical services are required) a parent should be informed immediately. For a less serious accident (for example, where first aid intervention is required) a parent must be informed as soon as possible, but at least by the end of the school day.
- Where a parent cannot be reached, the person nominated as an emergency contact should be contacted.
- Except where the accident is considered minor, a first aid officer or other staff member attending to the student must remain with the student until no further treatment or assistance is required, or until the student is placed in the care of ambulance officers or other medical personnel, unless the employee's personal safety is at risk.
- The School's health and safety officer, the Principal, teacher in charge, or their delegate should investigate the accident and ensure any hazard is controlled to prevent further injuries/incidents.
- In the event of a serious accident or incident, i.e. one where WorkCover WA must be notified, the Principal and staff need to ensure that the scene of the incident remains complete and undisturbed, once immediate risks have been controlled. The site or anything associated with the accident/incident should not be disturbed to facilitate a WorkCover WA and/or police investigation.

### What procedures apply for ambulance transport?

- An ambulance is to be called at the earliest suggestion that it may be required.

### When should a Student Accident/Incident Report be completed?

- Treetops records its accidents in relation to student on SEQTA within the Healthcentre section. As a guide a report should be prepared when:
  - a student breaks a bone or suffers an injury to the eyes, head, or mouth.
  - a student is injured at school or in a school-organised activity and first aid and/or medical attention is provided or such treatment is reported by the student or a parent at a later date.
  - a student has to leave school early as a consequence of an accident.
  - a parent or other emergency contact is advised by the school of an accident.
  - in other instances, when the Principal or his/her delegate considers it appropriate to do so.
- The Student Accident Report on SEQTA should be prepared as close as possible to the time of the accident – preferably the same day.
- When completing the Student Accident Report details identify the student who was injured are to be provided together with the date and location of the accident/incident, a description of any injuries sustained and a brief factual account of how the accident/incident occurred. It should also include information on how any hazard has been controlled to prevent further injuries/incidents.
- As the personal information on the Student Accident Report generally relates to students under the age of 18 years, their parents/carers should be informed of the school's policy in relation to privacy and the preparation of the Student Accident Report.

### What are Witness Statements?

In the case of more serious injuries, schools should obtain witness statements from any person, including a student, who has direct knowledge of the accident/incident. Where there are large numbers of witnesses to an event witness statements may be obtained from a representative sample of witnesses with the names and contact details of remaining witnesses recorded.

When witness statements are being obtained please note:

- requiring such statements does not jeopardise any rights that people have at this stage. The privilege against self-incrimination occurs during legal proceedings.
- it is necessary to tell people: – why they are being questioned or being asked to prepare a witness statement – to what use their answers or statement might be put, and – the consequences which may arise (e.g. school discipline action, in the case of students, later action by third parties such as requests under the Freedom of Information Act 1989 or legal proceedings).
- A witness may refuse to answer questions or to complete a witness statement.
- Any statements should be completed in pen, not pencil.
- The witness should write about the accident/incident in his or her own words and sign and date the statement when finished. In no circumstances is the witness to consult with another witness before preparing his/her witness statement to ensure the independence of the process.
- If the witness is too young, or unable, to be able to write about what he or she has seen, an adult who has not been involved in the accident/incident can assist the student. In such circumstances the adult should read the statement back to the student to confirm what has been written and that is what they saw. This should be noted accordingly.

- If the witness is from a non-English speaking background he or she should be given the option of writing his or her account in their preferred language. This account should be kept together with the subsequent translation of the witness statement into English.
- If a statement is completed by a student then the date of birth of the student should be written on the statement.
- Where appropriate, the witness should be asked to draw a sketch to accompany his or her statement. This may be a sketch of the classroom, playground or sports field or facility where the accident/incident occurred. The location of the witness and the student who had the injury should be noted on the sketch.

*Should any other material be collected at the time of the accident?*

In the case of more serious injuries where a Student Accident Report is completed, the following material, where relevant, should be kept:

- Class rolls or excursion or sports roll of the relevant students.
- Permission notes, including medical information and consent forms, and other documentation prepared in relation to an excursion or other activity.
- Staff list and roster (e.g. a playground duty roster where an accident/incident occurs in the school playground).
- First aid register or its equivalent.
- Correspondence in relation to the accident/incident.
- Any relevant school policies.
- Any evidence that should be preserved, e.g. equipment involved in the accident/incident.
- A map or diagram indicating location of the accident/incident.
- Where possible, and appropriate, photographs may be taken of the place and surrounding area where the accident/incident occurred.
- Details of any instructions given or action taken to prepare students for an activity.

While it is acknowledged that collecting this information may be time consuming at the time of the accident/incident, it is less onerous than collecting it many years later.

*How long reports and other material should be retained?*

Student Accident Reports and associated material should be retained for seven years or until the injured person attains the age of 25 years, whichever is the longer.

*Reporting of Notifiable Injuries WorkCover*

- The employer or person in control of a workplace has an obligation under the Occupational Health and Safety Act 1989 to report to WorkCover serious injuries/incidents and dangerous occurrences involving students that are attributable to the conduct of school activities and occur at or near a school. Such notifiable dangerous occurrences include damage to or failure of major types of plant and equipment, uncontrolled fire, explosion, escape of gas, dangerous goods or steam and electric shock. Dangerous occurrences also include the imminent risk of these events or of the death or serious injury to any person.
- Notification must be made as soon as practicable and no later than seven days after the event.
- Schools should notify WorkCover WA
- If an accident has caused the death of a person or serious bodily injury, WorkCover WA should be contacted

What should be done if compensation in relation to an accident is sought?

In cases where parents or other parties wish to make a claim against the School for payment of medical or other costs, or for compensation, they should be advised to write to the Principal.

What should be done if parents or solicitors want copies of reports and/or witness statements?

Where parents or other parties seek copies of Student Accident Reports and/or witness statements, schools should advise that requests need to be made in writing to the Principal.

What should I do if a parent, volunteer, visitor, contractor or other third party is injured at school or in a school related activity?

For accidents involving persons who are not employees or students of the school, then an Accident Report Form should be completed (see Appendix 1) and forwarded to the OH&S Representative. Some of these accidents/incidents may also need to be reported to WorkCover WA.

If compensation is sought, the procedures set out above, should be followed.

What should I do if a staff member is injured at school or in a school related activity?

If an injury occurs in the workplace, make sure:

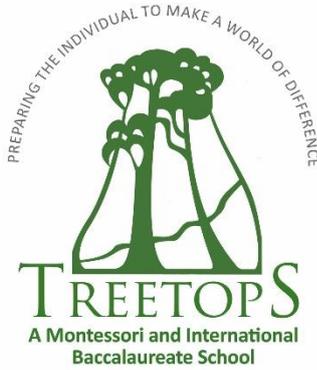
- The employee immediately receives first aid, if required.
- The incident/accident is reported as soon as possible using an Accident Report Form (see Appendix 1).

If workers compensation is sought, refer to the Workers Compensation Cycle in Appendix 2.

- the employee visits a medical practitioner of their choice to obtain a worker's compensation medical certificate.
- The employee fills in a Workers' Compensation Claim Form. The employee should be provided with an Insurance claim form (Employees Report Form 2B) for completion.
- The employer completes an Employer's claim form.
- Forward the completed worker's and employer's claim forms to the Insurance Company, together with a First Medical Certificate, within five (5) working days of receiving the worker's form.

What procedure should be followed if a student is injured while participating in a work experience placement?

- Contact should be made with the School's work experience coordinator
- Student Accident Report on SEQTA should be completed.
- In cases where parents or other parties wish to make a claim against the School for payment of medical or other costs, or for compensation, they should be advised to write to the Principal.



**Appendix 1 – Accident report Form**



**Accident Report Form (Employees and Other Adults)**

Date and time of accident: \_\_\_\_\_

Name of person/s involved: \_\_\_\_\_

Details of accident: \_\_\_\_\_

Place where accident occurred: \_\_\_\_\_

Injured parties complaint: \_\_\_\_\_

Description of injury sustained: \_\_\_\_\_

Description of care given: \_\_\_\_\_

Child/Adult witness to accident: \_\_\_\_\_

Care given by: \_\_\_\_\_

Was the ambulance/medical service notified? \_\_\_\_\_

Was the child's parent/guardian notified? \_\_\_\_\_

Staff member supervising the child at the time of injury: \_\_\_\_\_

**Reported by:** \_\_\_\_\_

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

**Reporting Process: Original copy for OH&S Representative, 1 x photocopy for Principal's desk.**

## Appendix 2 Workers Compensation Cycle

The table below shows the typical lifecycle of a workers compensation claim. This table is a simple description of the claims process, so you know what to expect if you need to make a claim.

Step 1. (Worker)	A workplace injury is reported to the employer. In the case that a serious incident occurs involving a fatality or permanent injury/ illness, please phone WorkSafe immediately on 1800 678 198. We would also request you notify your Insurer contact as soon as possible.
Step 2. (Employer)	The employer notifies Insurer as soon as practicable of the injury/incident and is issued an incident number which is to be used in all correspondence. If the injured worker wishes to make a claim, the employer is to provide the worker with a claim form.
Step 3. (Insurer)	If the injury is significant, a Case Manager will be assigned and will make contact with the employer, injured worker and, if necessary, the treating doctor to initiate injury management activities as appropriate.
Step 4. (Employer)	The injured worker and employer complete the compensation claim forms and, together with a WorkCover Medical Certificate, forward them to Insurer within 5 working days of the employer receiving the worker's form. Please note that in accordance with the Workers Compensation and Injury Management Act 1981, WorkCover may penalise employers \$1000.00 for failing to report claims to their insurer within the required timeframe (s57A(2A)).
Step 5. (Insurer)	Upon receipt of the claim forms and medical certificate, Insurer will assess the claim and in most cases, advise all parties of liability determination within 3 working days. If liability cannot be determined, Insurer has a further 10 days to determine liability, thereafter the claim is considered to be disputed.
Step 6. (Insure)	<b>If liability is accepted</b> The Insurer case manager collaborates with the worker, employer and nominated treating doctors to return the worker to work as soon as possible. <b>If liability cannot be determined without additional information</b> The Insurer case manager will notify the employer and the worker of the delay in determining liability and the reason(s) why. The required additional information will be sought and a decision promptly made on receipt. <b>If liability is not accepted</b> The Insurer case manager will notify the employer and worker of the liability decision verbally and advise the worker of their right to appeal the decision either through informal negotiation with the insurer, or by lodging a formal application for conciliation. All parties will subsequently be advised in writing of Insurer's decision and the process if the decision is disputed. For more information on the dispute resolution process please refer to the dispute resolution publication provided on the <a href="#">WorkCover WA website</a> .
Step 7. (Worker & employer)	If liability is accepted, all relevant accounts and requests for wage reimbursements should be sent promptly to Insurer for payment. Please note the Workers Compensation and Injury Management Act 1981 requires an employer to make weekly compensation payments to a worker within 14 days of being advised the claim is accepted. Failure to comply with this requirement may result in a WorkCover penalty of \$2,000.00 for each weekly payment not made when due. Subsequent payments are required to be made on the employer's usual pay day.
Step 8. (Insurer)	Insurer will keep in regular contact with the employer and injured worker to facilitate a prompt recovery and return to work. Assistance maybe sought from specialist providers, such as occupational rehabilitation experts or medical professionals.
Step 9. (Worker & employer)	Worker is certified fit for work with no ongoing treatment. All final accounts / wage reimbursements sent to Insurer for payment.
Step 10. (Insurer)	<b>Insurer closes the claim</b>

## Appendix 3 – SEQTA – Reporting of student Accidents incl. Work experience

**Health centre** [Settings] [Help] [Log Out]

SAVE PRINT APPLY SOLUTION

Sickbay entry Reporting

Y02 WAT 7 1 [Home] [Fini, Marlon] [ROLL] [HOUSE] [YEAR]

PREVIOUS ENTRIES

New entry

**Kate Myburgh**  
Thursday, 10th March 2016

STUDENT MEDICAL HISTORY

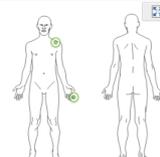
Enter the student's medical history

Nurse:

Location:

Time in:  to:

Slipped over near oval whilst running on pavement. Grazed shoulder and cut finger.



DATE/TIME	TEMP	PULSE	RESP	SPO2	BP	PUPILS	GCS	OTHER
10/03/2016 13:30								Some tears

TREATMENT

Bandaid on finger, ice pack and Savlon on shoulder.

DATE/TIME	MEDICATION NAME	DOSE	ROUTE	INITIAL
04/04/2016 12:11				

OUTCOME

Ambulance

DIREQT MESSAGES COUNTER-BULLYING HEALTH CENTRE STUDENT GOALS STUDENT PLANS STUDENT SUMMARY