Checklist: What to do when an incident or accident happens

Legal information for community organisations

When an accident or incident occurs at your organistion, it can be hard to know what to do. There are certain practices that may help protect your organisation from ongoing expenses and litigation if an incident occurs or to assist claims being quickly and fairly processed.

Accidents or incidents could include:

- disputes between staff

- incidents involving clients or members of your organisation

- property damage (malicious, accidental or due to natural events)

- an incident or accident at an event being hosted by your organisation, or

- an accident on your organisation's premises.

It is important for your organisation to take appropriate steps when accidents and incidents occur. These steps can include:

- properly investigating and documenting the incident

- taking appropriate steps to minimise the chance of the incident happening again

- keeping a register of incidents, and considering reporting on accidents or incidents to the board

- responding to any complaints or allegations of liability or negligence appropriately (you may need to get legal advice)

- notifying insurers if necessary

- meeting any workplace health and safety requirements

- notifying any other people who are required to be notified (this may be in a contract), and

- implementing and reviewing policies and procedures around incidents and accidents.

RELATED RESOURCES

The best way is to avoid incidents happening in the first place is by conducting a risk assessment.

For further information see the Risk Management and Insurance Guide available at www.nfplaw.org.au/insurance.

When an accident or incident occurs, make sure you do the following:

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IN THE EVENT OF AN ACCIDENT OR ACCIDENT

☐ Draft an incident report as soon as possible. If someone has been injured or property damaged include a description of how this occurred and details of the injury/damage.

☐ Take photographs of where any injury/incident occurred or any property damage if possible.

☐ Get witness statements from anyone who saw the incident or accident. Your insurer may be able to assist with this.

☐ Place the incident report on a register of incidents

☐ Make any obvious and/or necessary changes to the building or your organisation's procedures to avoid such an incident/accident happening again.

☐ **Tell your insurer and / or Worksafe** where required and seek legal advice if you are concerned about legal issues

☐ Decide whether the board/committee should be notified of the incident and act accordingly

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RELATED RESOURCES

For more detailed information on how to respond to incidents and accidents, see the resources available on Work Health and Safety available at www.nfplaw.org.au/OHS.

For assistance in handling complaints, see the guide available at www.nfplaw.org.au/complainthandling.

If a dispute arises, you can find out information on how to respond using the resources available at www.nfplaw.org.au/disputes.