

Archery Victoria Guidance Note			
Note No:	1200-GN-02	Version:	01
Revised Date:	30/09/2025	Replaces Version	
Review Date:	30/09/2027	Pages:	5



## WorkSafe and Incident Notification

### 1. Introduction:

If a serious injury or death occurs in a context considered a "workplace," such as a sporting club, the club must notify WorkSafe Victoria immediately. (Clubs should also notify the President or Secretary of Archery Victoria). "Serious injury" includes conditions such as, requiring hospital inpatient treatment, amputation, serious head or eye injuries, or serious lacerations.

The duty to notify applies even if the injured person is not a paid worker. In addition, the Club is required to preserve the incident scene (this means not altering anything until advised by a WorkSafe Inspector, unless it is required when giving assistance to the victim).

### 2. Incident Notification:

#### 2.1 What is a notifiable incident?

A notifiable incident under Victoria's Occupational Health and Safety (OHS) Act includes:

- Death of a person.
- A serious injury or illness to a person, such as requiring immediate hospitalisation, amputation, serious head or eye injuries, or serious lacerations requiring stitching.
- A dangerous incident (a near-miss event that could have caused death or serious injury).

#### 2.2 What is the Club's responsibility?

- **Notify WorkSafe immediately:** Clubs must notify WorkSafe Victoria (phone 132360) and Archery Victoria immediately after becoming aware of a notifiable incident.
- **Preserve the scene:** The incident site must be preserved pending further directions from WorkSafe inspectors.
- **Provide details:** You must also provide a written incident notification form within 48 hours of the incident.

#### 2.3 How to notify WorkSafe Victoria:

- **Call:** Contact WorkSafe Victoria on 13 23 60 immediately.
- **Complete the Incident Notification form:** After the initial phone call, you'll receive a link to an online incident notification form.
- **Keep a copy:** A copy of the completed form must be kept for your records for at least five years. (A copy shall be forwarded to Secretary Archery Victoria).

#### 2.4 Important considerations:

- The obligation to notify applies to all incidents at a workplace, even if the injured person is not a worker, such as a volunteer.
- Workplaces must also record all injuries and incidents in their register of injuries

### 3. Requirement to Report:

Under OHS regulation 74 and the Equipment (Public Safety) Regulations, persons in charge of prescribed equipment (see list on next page) at Club grounds are required to provide notice of dangerous occurrences. These changes came into effect on 1 July 2024.

---

## Occupational Health and Safety Regulations

OHS regulation 74, from 1 July 2024 states that, employers and self-employed persons are required to notify WorkSafe when they become aware of an incident that immediately or imminently exposes a person a serious risk to their health or safety due to collapse, overturning, failure, or malfunction of, or damage to:

- plant that lifts or moves persons or materials (other than a ship, boat, aircraft or, except as provided in sub regulation (4), a vehicle designed to be used primarily as a means of transport on a public road or rail)

**Note:** sub regulation (4) states Division 5 applies to a vehicle designed to be used primarily as a means of transport on public roads or rail, if the vehicle is being used at a workplace other than a public road or rail.

- pressure equipment
- tractors
- earth moving machinery
- scaffolds
- temporary access equipment
- explosive-powered tools
- turbines
- amusement structures

## Equipment (Public Safety) Regulations 2017

The EPS Regulations apply to non-workplaces and set out a range of duties relating to the design, manufacture, importation, supply and use of prescribed equipment to ensure public safety.

Under EPS regulation 6, from 1 July 2024, persons in charge of prescribed equipment at an equipment site are required to notify WorkSafe when they become aware of an incident that immediately or imminently exposes a person a serious risk to their health or safety resulting from the collapse, overturning, failure or malfunction of, or damage to:

- subject to sub regulation (2), equipment that lifts or moves persons or materials (other than a ship, boat, aircraft or vehicle designed to be used primarily as a means of transport on a public road or by rail)
- pressure equipment
- tractors
- earthmoving machinery
- scaffolds
- temporary access equipment
- explosive-powered tools
- turbines
- amusement structures

## 4. Definitions

**Serious Risk:** 'Serious risk' is not a defined term in the OHS Act and, as a result, the plain or ordinary meaning of the word applies.

WorkSafe considers that the ordinary meaning of 'serious risk' is a 'significant risk, which has a real chance of materialising'. For an incident under section 37(2) to be considered a 'serious risk', it must have a real chance of immediately or imminently exposing a person to a risk to their health or safety.

WorkSafe considers that the term 'serious risk to the health or safety of a person' means:

1. that exposure to the incident created a risk which, if it had eventuated, could have resulted in death or a serious injury or illness of a person (seriousness of potential harm), and
2. the level of risk was not minor, in that there was a real likelihood of the risk eventuating (likelihood of incident occurring).

Both the potential seriousness of harm and the likelihood of harm occurring must be identified for an incident under section 37(2) to be considered a serious risk to the health or safety of a person.

---

**Immediate or Imminent Exposure:** The terms 'immediate or imminent exposure (to an incident)' are not defined terms in the OHS Act. As such, the plain or ordinary meaning of the words applies.

WorkSafe considers that 'imminent' means 'likely to occur at any moment'. WorkSafe considers that 'immediate' means 'happening or done without delay'.

WorkSafe considers 'immediate exposure' to mean the person was exposed to a serious risk to their health or safety when the incident occurred, including where the person was not injured or where an illness may arise later due to exposure to the incident.

WorkSafe considers 'imminent exposure' to mean a person was or would have been exposed to a serious risk to their health or safety when the incident occurred. For example, a person would have been exposed to the risk even though they may not have been in the vicinity when the incident occurred because they were there prior to the incident, or ordinarily would have been in the vicinity or were nearby when the incident occurred.

Depending on the incident, there are a number of other important actions you may need to take, including notifying WorkSafe and preserving the scene if possible and if safe to do so.

## 5. Public Places and Sporting Events

Workplaces may also be public or partly public places, for example:

- Public parks, streets
- Sports facilities
- Schools and colleges

Incidents involving bystanders, visitors, students, patrons or other members of the public are only notifiable if:

- There is a death
- A 'serious injury or illness' is suffered or there is a dangerous incident or 'near miss', and
- The incident arises out of the conduct of a business or undertaking.

An incident may arise out of the conduct of a business or undertaking for example because of:

- The way a work activity is organised (for example inadequate safety precautions)
- The way equipment or substances are used (for example lifts, machinery)
- The condition of a workplace (for example poorly maintained or slippery floors)
- Actions of someone who is not a worker at the workplace.

If a visitor at a sporting club is taken to hospital after sustaining a serious fracture, then the incident would be notifiable. If a visitor is taken to hospital because of their pre-existing medical condition (for example heart attack, epileptic seizure) this would not be notifiable as it did not result from the conduct of the business or undertaking.

## 6. Incidents during sports activities

Work health and safety duties apply in relation to professional sports people for whom sport is work and sport organised by businesses or undertakings. They do not apply to purely social or recreational activities or activities organised by wholly volunteer associations that do not employ anyone.

For more information about the way the work health and safety laws affect volunteers and organisations with volunteers refer to the online resource kit published by Safe Work Australia. (See 0251-GN-1 OHS Act and Clubs)

Some sports injuries may arise from 'work' (for example a professional AFL footballer) while others may not (a local amateur club footballer).

Sports injuries are not notifiable if arising out of the normal conduct of a sports activity for example rough and tumble of a game.

---

Sports injuries are notifiable only if arising out of the conduct of a business or undertaking for example:

- The way a work activity involving sport is arranged
- The way the sporting activity is managed or controlled
- The condition, design or maintenance of premises or equipment, or
- The way work is carried out for example inadequate supervision.

Examples of notifiable incidents include:

- The condition of the premises or sports equipment was a factor in the incident; for example, where a participant suffers an injury requiring admission as an inpatient at a hospital due to tripping over on a potholed surface, or
- There was inadequate supervision to prevent an incident; like ensuring the safe use of equipment used by club members at a working bee or failings in the organisation and management of an event.

---

## WorkSafe Victoria Notification Flowchart

**Step 1.** Is the situation dangerous or high risk

**Step 2.** Confirm if the incident is notifiable to WorkSafe Victoria

Reportable incidents to WorkSafe Victoria.

- death of a person
- a person needing medical treatment within 48 hours of being exposed to a substance
- a person needing immediate treatment as an in-patient in a hospital
- a person needing immediate medical treatment for one of the following injuries: amputation, serious head injury or serious eye injury, removal of skin (example: de-gloving, scalping), electric shock, spinal injury, loss of a bodily function, serious lacerations (example: requiring stitching or other medical treatment)

Medical treatment means treatment by a person registered under the Health Practitioner Regulation National Law to practice in the medical or nursing or midwifery profession (doctor, nurse, midwife etc.). If you are unsure contact the Secretary of Archery Victoria.

**Step 3.** Ensure that the incident scene is not disturbed until a WorkSafe Inspector arrives or gives permission (normally will quote a number)

However, incident scenes can be disturbed if necessary to:

- protect a person's health or safety
- help someone who is injured
- make the area safe (for example, if a person with a confirmed diagnosis of coronavirus (COVID-19) has attended the workplace during the infectious period, it is essential the site is cleaned and disinfected, in order to prevent further transmission of the virus)

**Step 4.** Notify WorkSafe immediately by calling 13 23 60

WorkSafe will lodge details of the incident and email you a link to an online incident notification form. WorkSafe will then advise if an inspector will make a site visit and whether the incident scene can be disturbed before the inspector's attendance.

**Step 5.** Report the incident in writing within 48 hours

Once you have completed and submitted the online incident notification form, you will receive a confirmation email with a copy of your records and send a copy to [secretary@archeryvic.org.au](mailto:secretary@archeryvic.org.au).

If you are having trouble completing the online incident notification form, download a print copy of the incident notification form, and email the completed form to: [info@worksafe.vic.gov.au](mailto:info@worksafe.vic.gov.au) or post to:

WorkSafe Victoria  
PO BOX 279  
Geelong VIC 3220.