



RECORDING AND REPORTING SERIOUS HARM

Health and safety in the workplace

The Health and Safety in Employment Act aims to promote the health and safety of everyone at work and of other people in or around places of work. To achieve this, it requires people who are responsible for work and those who do the work to take steps to ensure their own health and safety and that of others. The Act also recognises that employees have a valuable contribution in making workplaces safe.

Recording and reporting of serious harm – Employers

The Health and Safety in Employment Act 1992 requires employers, to:

- record in an accident register all events that harm, or might have harmed employees and other people in the place of work (this can be your own form or photocopies of our forms);
- notify the Department of Labour as soon as possible (by phone, email or fax) of any of these events that resulted in serious harm; and
- provide written notice to the Department of Labour (using the form on the website www.osh.dol.govt.nz or providing the same details) of the circumstances within 7 days.

Recording and reporting of serious harm – Principals and self-employed persons

The Health and Safety in Employment Act 1992 also requires principals and self-employed persons to record and report serious harm. See the questions and answers that follow for details of the relevant duties.

Where events do not result in serious harm

When events do not result in serious harm, complete your own accident investigation and take whatever steps are needed to eliminate, isolate or minimise any identified significant hazard. Then record the details in your accident register and update your significant hazard register if necessary.

Actions following accidents and serious harm

When events result in serious harm you should:

- make sure anyone injured or suspected of injury has received medical attention if necessary;
- not interfere with the accident scene without permission of a Health and Safety Inspector;
- advise your local Department of Labour office as soon as possible by phone, fax or email;
- complete your own investigation and take steps to eliminate, isolate or minimise any identified significant hazard;
- email, post or fax a written notice to the nearest Department of Labour office within 7 days; and
- keep the original (or a copy) of the written notice in your register. If you keep an accident register in a different form, you must record the same details.

Contacting the Department of Labour

The Department may be notified of serious harm by

- phone 0800 20 90 20 or
- email to SeriousHarm.Notification@dol.govt.nz or
- fax to the nearest local Department of Labour office.

The written notice may be emailed to the above address (otherwise fax or post to the local office) using a form on the Department's website or providing similar details. Go to www.osh.dol.govt.nz and follow the I NEED TO REPORT link.

FAQs

Below are the answers to some frequently asked questions.

Q: What is serious harm?

A: The full definition is contained in the Fact Sheet - Serious Harm. Simply put, it includes serious injuries (such as burns, amputations, and loss of consciousness) and all occupational diseases.

Q: What are employers' duties to report serious harm?

A: Employers must notify the Department of Labour of any serious harm that happens to employees at work and to any other persons who are seriously harmed in places of work controlled by the employer.





Q: What are Principals' duties to report serious harm?

A: Principals have to notify the Department of Labour of any serious harm that they become aware of, that happens to any self-employed person who is working for them.

Principals must also notify the Department of Labour of any serious harm, that they become aware of, that happens to any other person as a result of the work of the self-employed person.

Q: What are self-employed persons' duties to report serious harm?

A: Self-employed persons must notify the Department of Labour of any serious harm that occurred to them while at work or as a result of any hazard to which the self-employed person was exposed at work. Self-employed persons must also notify the Department of any serious harm that happened to persons that resulted from the work they carry out.

Q: When must notification take place?

A: As soon as the employer, self-employed person or principal becomes aware of the serious harm they must notify the Department of Labour by phone, email or fax. They must also give the Department written notice of the circumstances within 7 days after the occurrence becomes known to them. They can use the Department's form on the website www.osh.dol.govt.nz or otherwise provide the same details in writing.

Further information

This information is a guide only and may not be accurate for all situations. It should not be used as a substitute for legal or other expert advice.

For further information, call 0800 20 90 20, or visit www.dol.govt.nz

