



Policy Category: WHS and Wellbeing	Document ID:
Number of pages: 6	Appendices:
Version: 1.1	Status: Approved
Reviewed by: Principal	Endorsed by: Board
Approved by: Amica Gordon	Date: 5 April 2022
Signature: 	
Recommended frequency of review: 1 year for new policies, and then at least every 3 years unless otherwise approved by the Executive Team. Next review: 2025	
Additional Information:	

Document history:

Version	Date	Nature of Amendment
1.0	2021	New Policy
1.1	18/2/22	Scheduled review according to Policy Development and Review Policy – changes made to encompass incidents and injuries to any person on site (not only students)



RECORDING AND REPORTING INCIDENTS

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DEFINITIONS AND ABBREVIATIONS

MSSA: Milkwood Steiner School Association

Minor incident is an injury or incident that can be treated without medical attention and there is no expectation of ongoing symptoms. A Commonsense approach is taken in determining whether an incident is of a minor nature.

Notifiable incident is:

- the death of a person;
- a serious injury or illness of a person; or
- a dangerous incident.

Serious injury or illness is an incident that requires the person to have:

- immediate treatment as an in-patient in a hospital (i.e. admitted to hospital)
- a head injury, eye injury, serious burn, separation of skin from an underlying tissue (eg degloving or scalping), spinal injury, loss of a bodily function, serious laceration.
- medical treatment within 48 hours of the incident

Dangerous incident is an incident that exposes a student to a serious risk to their health or safety. This includes psychological risks, such as threats of violence, where the act is imminently likely to be carried out eg. “I’m going to stab you” while holding a knife. Unacceptable behaviour may still be of serious concern, but not require an incident report (see *Code of Conduct* and *Discipline Policy*).



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Supervising Staff Member is the staff member primarily responsible for duty of care. Eg. The class teacher during class time, a Teacher Assistant or music tutor working with a child, the rostered staff member on yard duty.

Duty of Care: Everyone owes a duty of care to those around them. A higher level of duty exists for all school staff, towards every student under their supervision by virtue of the conditions of their employment and the common law principles of negligence. All persons on school grounds should be aware of the context in which they are operating, as it has an effect on the level of duty of care owed. Generally speaking, school staff owe students a duty to take reasonable care to protect the child from a reasonably foreseeable risk of injury. This duty may be manifested in different ways, including:

- the duty to supervise the students so that they comply with rules and practices designed for their own safety and that of other students
- the duty to design and implement appropriate programs and procedures to ensure the safety of students
- the duty to warn students about dangerous situations or practices.

This list is not exhaustive. The duty is to do what is reasonable in response to the duty in a given situation. The question of what is reasonable in a given instance is decided by the court in the event of litigation, but it is for the individual staff member to comply with objectively reasonable practice.

Staff cannot delegate the duty of care they owe to students. Other school staff may be left in charge if a teacher needs to leave the classroom for a period of time but responsibility for the students' health, safety and welfare rests with the supervising staff member.

PURPOSE

This policy exists to define incidents which occur at Milkwood Steiner School, which require recording and reporting. This policy defines incidents by severity for the purpose of recording and reporting, and delegates responsibilities for recording and reporting student injuries, and communicating these with the relevant people. It should be read alongside the *Discipline, Code of Conduct, and WHS Policies*.

SCOPE

This document applies to all areas of the school, including the Milkwood Steiner School Association Board (the Board), staff, students, Playgroup, After School Care, families, carers and friends of MSSA, volunteers and visitors to the school.

This policy applies in all interactions while in school or off site, including school related functions such as excursions, camps, social events, conferences and online interactions.



POLICY STATEMENT

When an incident occurs at Milkwood Steiner School, a record is created to ensure the necessary people involved are aware of risk, harm, injury or trauma. The *Work Health and Safety Policy* reduces risk where possible. The Communication Policy describes the values that guide communication at Milkwood Steiner School. Reporting incidents addresses the school's legal requirements, while ensuring that people holding roles that are impacted by the incident are empowered to provide care, contribute to restoration and reduce the likelihood of a repeated incident.

A notifiable incident should be reported to NT WorkSafe by phone, immediately following the incident.

Incident Report forms, NT WorkSafe incident notification forms and any other supporting documentation relating to a student injury are retained by the school.

On request to the Principal a copy of the Incident Report Form or NT WorkSafe Incident Notification Form may be provided to the student or their representative. The privacy of third parties must be ensured prior to providing a copy of the form.

ROLES AND RESPONSIBILITIES

Supervising Staff Member is responsible for:

- the injured person
- all people under their duty of care
- contacting the parents of any student affected, as soon as safe to do so, to notify of the incident
- reporting the incident via the Incident Form
- obtaining the signature of the impacted person if over 18, or the parent/guardian if under 18, and the Principal on the Incident Form
- submitting the Incident form to the Enrolment and Administration Officer for filing

The Principal is responsible for:

- viewing all incident reports
- ensuring that the management of student injury procedures are reviewed as part of normal school occupational health and safety monitoring practices.

The Enrolment and Administration Officer is responsible for

- ensuring that all relevant information is included in the Incident Report form prior to filing



- notifying relevant parties of the incident, including the WHS officer when needed. Note: when the incident involves a MSS student, the Enrolment and Administration Officer notifies the child's teacher, who notifies the parents.

The Work Health and Safety Officer is responsible for removing risks identified through the incident report, to reasonably prevent future incidents, and responding to Incidents according to the *Work Health and Safety Policy*.

Recording and Reporting Minor Incidents

Minor incidents (see definitions and abbreviations) are documented in the supervising staff member's day book. These records include date, time, names of students and staff involved or impacted, and a brief description of the incident.

Recording and Reporting Notifiable, Serious and Dangerous Incidents

Notifiable, serious or dangerous incidents are documented in the Incident Report Form and processed according to the Incident Report Form Guidelines.

Guidelines

Incident Report Forms

The Incident Report Form is completed by the responsible staff member as soon as practically possible, and within 24 hours of the incident occurring.

The responsible staff member gives the Incident form to the child's teacher or, the responsible staff member gives the Incident form to the person affected (if over 18 years old) as soon as practically possible, and within 24 hours of the incident occurring,

The class teacher of the child notifies the child's parent or guardian of the incident and provides a copy of the incident for the parent or guardian to read and sign. If multiple children are involved, parents and guardians receive a de-identified copy of the form by blacking out names of other children in a photocopy of the form.

The signed Incident Form is submitted to the Enrolment and Administration officer.

The Enrolment and Administration officer

- completes the Incident Form checklist
- enters the incident into the Incident Register
- submits a Maintenance Hazard Report Form to the Work Health and Safety Officer, if required
- submits incident forms to the Principal weekly, for review and signing
- Files a copy of the form in the student file

Minor injuries do not require an Incident Report, unless assessed as dangerous incidents by the supervising staff member, or if requested by the Principal.

