

Guidance Note
QGN 06

**Guidance to Metalliferous Mines and Quarries in Reporting
Serious Accidents, High Potential Incidents and Diseases**

Mining and Quarrying Safety and Health Act 1999

February 2017, Version 5

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GUIDANCE NOTE – QGN 06 Guidance to Metalliferous Mines and Quarries in Reporting Serious Accidents, High Potential Incidents and Diseases

This Guidance Note is issued by the Mines Inspectorate from the Department of Natural Resources and Mines to provide guidance to mines and quarries in reporting serious accidents, high potential incidents and diseases to an Inspector of Mines and a District Workers' Representative.

This Guidance Note is not a Guideline as defined in the *Mining and Quarrying Safety and Health Act 1999*. In some circumstances, compliance with this Guidance Note may not be sufficient to ensure compliance with the requirements in the legislation.

Guidance Notes may be updated from time to time. To ensure you have the latest version, either check the Department of Natural Resources and Mines website or contact your local Inspector of Mines.

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GUIDANCE NOTE – QGN 06

Guidance to Metalliferous Mines and Quarries in Reporting Serious Accidents, High Potential Incidents and Diseases

1. Purpose

This Guidance Note is intended to provide guidance to the Site Senior Executive (SSE) about the requirements for reporting deaths, serious accidents, high potential incidents and diseases to an Inspector of Mines (IOM) and a District Workers' Representative (DWR). Including the necessary reports and statistical information associated with incidents and accidents that occur at the mine that must also be reported. For the purpose of this document reporting includes providing notification and provision of information regarding deaths, serious accidents, high potential incidents and diseases as per Part 11 of the *Mining and Quarrying Safety and Health Act 1999*.

2. Scope

This Guidance Note applies to reporting accidents, incidents and diseases as required under Sections 195, 197, 198 and 259 of the *Mining and Quarrying Safety and Health Act 1999*. In addition, it contains tables and notes designed to clarify what has to be reported and by when to an IOM and a DWR.

3. Application

3.1 What must be reported?

All serious accidents (SA), high potential incidents (HPI) and prescribed diseases that occur on mine and quarry sites must be reported to an IOM and DWR by the SSE.

A SA is an accident at a mine that causes—

- the death of a person; or
- a person to be admitted to a hospital as an inpatient for treatment for the injury (at the time of the incident or post the incident)

A HPI is an event, or a series of events, that causes or has the potential to cause a significant adverse effect on the safety or health of a person. This can include events where a person was not present at the time but could have been as part of normal operations.

From 1 January 2017, reportable diseases are prescribed under schedule 1A of the Mining and Quarrying Safety and Health Regulation 2001. A disease can be described as, a disorder of structure or function in a human especially one that produces specific symptoms or that affects a specific location and is not simply the result of physical injury. The list of prescribed diseases comprises diseases contracted primarily as a result of an exposure to risk factors arising from work activity. The list of diseases that an SSE needs to report from 1 January 2017 is provided at part 4.1 of this Guidance Note.

A flow chart summarising the reporting requirements is attached in Appendix 1.

If in doubt treat the event as a notifiable event to an IOM and DWR.

3.2 When must it be reported?

3.2.1 Timing

The MQSHA provides for two notification timeframes:

- as soon as possible, and
- as soon as practicable

The expectation from the Mines Inspectorate in relation to how quickly the notification will be made for each timeframe is outlined below:

- 'as soon as possible' – On becoming aware of the event the SSE must without delay notify an IOM and DWR. For example this would include ensuring the notification occurs as part of commencing/activating the initial/emergency response to the event. Delaying notification until rescue and or recovery operations are underway or complete is not acceptable.
- 'as soon as practicable' - Once the SSE is aware of the event they have enough time to ensure a suitable response is being undertaken before making the notification. The expectation is that as a minimum the notification would occur on the day the SSE became aware of the event.

Failure by the SSE to ensure that notification of SA, HPI and prescribed diseases occurs in a timely manner can attract a fine of up to 40 penalty units

3.2.2 Events that must be reported as soon as possible

The SSE must report to an IOM and DWR 'as soon as possible' any of the following types of events:

- A death at a mine whether or not it was caused by an accident at the mine
- An SA which results in bodily injury endangering or likely to endanger life
- An SA which causes or is likely to cause permanent injury to the person's health
- An HPI that is of a type prescribed by regulation (refer to part 4.2 of this Guidance Note)

3.2.3 Events that must be reported as soon as practicable

The SSE must report to an IOM and DWR 'as soon as practicable' any of the following types of events:

- An SA which causes a person to be admitted to a hospital as an inpatient for treatment for the injury
- Any other HPI that is not of a type prescribed by regulation
- A disease of a type prescribed by regulation (refer to part 4.1 of this Guidance Note)

3.2.4 Before interfering with the place where a Serious Accident or High Potential Incident has occurred

Except for the purpose of saving a life or preventing further injury, the SSE must ensure that the place of an accident listed below is not interfered with without the permission of an IOM:

- An incident causing the death of a person
- An SA that:
 - causes a person to be admitted to hospital as an in-patient
 - causes or is likely to cause permanent injury to a person's health
- An incident that causes a person to become unconscious
- An HPI that is of a type prescribed by regulation (refer to part 4.2 of this Guidance Note)

Where a death has occurred the Mines Inspectorate will conduct an investigation and prepare a report.

Failure to ensure that the place of an accident mentioned above is not interfered with without the permission of an IOM can attract a fine of up to 200 penalty units.

3.3 What must be included in the report?

When reporting the SSE must provide certain specified information referred to as the 'Primary Information' to the IOM and DWR (refer to part 4.3 of this Guidance Note).

Delaying reporting because all of the information required in 'Primary Information' is not yet assembled is not acceptable. The SSE must ensure the event is reported promptly to an IOM and DWR with what information is immediately available and provide supplementary updates as information comes to hand.

Failure by the SSE to ensure that all available primary information is provided at time of notification and or supplementary updates are provided as further primary information becomes available can attract a fine of up to 40 penalty units

An IOM can require that the SSE provide additional information such as maps/plans and photographs showing relevant details about the accident or incident.

3.4 How to report

3.4.1 Reporting a Serious Accident or High Potential Incident

Reporting can be made orally or by written notice. Where the report is made orally, it must be confirmed in writing.

The SSE should ensure that reporting in the first instance is made to an IOM and DWR orally and then confirmed in writing.

The timing for submitting the written notice is:

- 24 hours if the notice relates to a death (failure to meet this requirement can attract a fine of up to 80 penalty units)

- 48 hours for all other SA and HPI (failure to meet this requirement can attract a fine of up to 40 penalty units)

The written notice must as a minimum contain the Primary Information (refer to part 4.3 of this Guidance Note).

For administration purposes the Mines Inspectorate is divided into three regions each with a regional office. The Mines Inspectorate has an on call system and office specific emergency phone numbers to be used for reporting of incidents that occur at metalliferous mines and quarries. These are listed in Table 1 along with the email addresses for giving written notice. Preferably incidents should be reported to the office closest to the mine or quarry where the incident occurs.

Table 1 – Mines Inspectorate contact information

Region	Office	On call/Emergency Phone	Email for written notice
North	Townsville	(07) 4447 9282	tsvmines@dnrm.qld.gov.au
North West	Mount Isa	(07) 4747 2151	isamines@dnrm.qld.gov.au
South	Brisbane	(07) 3330 4273	sthmines@dnrm.qld.gov.au

3.4.2 Reporting a prescribed disease

Reporting must be made by giving notice of the disease in writing. Reporting can be made orally, but must be confirmed in writing.

For the purpose of reporting a prescribed disease, an email sent to an IOM and DWR containing the following information is considered acceptable:

- the name and address of the mine or quarry;
- the name of the SSE for the mine or quarry;
- if the report is made on behalf of the SSE – the name, position and contact details of the person reporting the disease; and
- the type of prescribed disease being reported.

Note: no further information about a prescribed disease is required to be reported. Personal information relating to the person who has contacted the disease (e.g. name, etc.) is not required and should not be reported unless the person has given consent.

To facilitate reporting the Mines Inspectorate has an on call system and emergency phone numbers for the regions and districts across Queensland. These, including email addresses for giving written notice are listed in the Table 1 (above).

3.5 Obligations

The SSE must establish a system for reporting and investigating accidents on site, that forms part of the safety and health management system. This system must provide for:

- Making statutory notifications to an IOM and DWR including the primary information
- Ensuring that the scene of accidents is not interfered with, prior to sufficient information being captured. For example, photographs, measurements, witness statements or permission being obtained from an IOM.

- Documenting investigation techniques to be used
- Submitting investigation reports and statistical information to the Mines Inspectorate within required timeframes
- Entering in the mine record details of reports about all serious accidents and high potential incidents that have happened in the mine.

All persons generally have an obligation to comply with work practices and procedures that form part of the safety and health management system which includes reporting of accidents and incidents to the SSE. Failure by a person to meet this obligation can attract a fine of up to 500 penalty units or 6 months imprisonment.

The legislation provides criminal legal protection to the SSE and workers in relation to investigation reports that have been prepared or forwarded to an IOM by the SSE in relation to serious accidents and high potential incidents listed in part 4.2 of this Guidance Note.

3.6 Reports and statistical information

The SSE must ensure that the following reports and statistical information is provided to the Mines Inspectorate.

3.6.1 Serious Accident or High Potential Incident investigation reports

The SSE must ensure a report is prepared about a prescribed SA or HPI and forwarded to an IOM within one (1) month of the occurrence of the SA or HPI. This report must contain details about the SA or HPI and recommendations to prevent reoccurrence. In most cases the completion of the Queensland Mining Industry Incident Report (QMIIR) form will satisfy this requirement. Depending on the circumstances an IOM may require and request additional information.

Failure by the SSE to ensure that an investigation is undertaken and that a report is forwarded to an IOM within 1 month can result in a fine of up to 100 penalty units.

3.6.2 Statistical information

The SSE must ensure that statistical information is provided to the Mines Inspectorate on a monthly basis as follows:

1. The Queensland Mining Industry Incident Report (QMIIR) form (commonly referred to as the form 5A).
 - a. This document allows for the SSE to provide details about lost time and high potential incidents, persons involved, injuries sustained, contributory causes and recommended corrective actions. It must be completed within one month of the incident occurring
2. The Monthly Incident Summary Report
 - a. This document details, lost time, disabling and medical treatment injuries as well as number of employees, numbers of contractors and hours worked. This is required to be completed and submitted at the end of each calendar month.

Both of these forms are able to be submitted on line and can be accessed via the Mines Inspectorate web site: <https://www.business.qld.gov.au/industry/mining/safety-health/mining-safety-health/accidents-incidents/report-notify>

Also on the web site is a Queensland mining industry reporting manual and instructions for completion of on-line incident report and monthly summary
www.dnrm.qld.gov.au/data/assets/pdf_file/0005/235382/mining-industry-incident-report-manual.pdf.

3.7 Legislation references

Mining and Quarrying Safety and Health Act 1999

The following sections relate to the notification and reporting of accidents, incidents, deaths or diseases, conduct of investigations and reporting of statistical information:

- 59 Mine record
- 195 Notice of accidents, incidents, deaths or diseases
- 195A Requirement to give primary information
- 196 Place of accident must be inspected
- 197 Site not to be interfered with without permission
- 198 Action to be taken in relation to site of accident or incident
- 259 Notices about industry statistics or information

Mining and Quarrying Safety and Health Regulation 2001

The following sections support and provide clarification of the above requirements

- 12A Prescribed types of high potential incidents – Act, s195(2)(b)
- 12B Prescribed diseases that must be reported – Act, s195(6)
- 13 Prescribed types of serious accidents and high potential incidents
- 14 Reporting accidents and high potential incidents
- 15 Site Senior Executives investigation of incidents
- 16 Giving inspector details of accidents and high potential incidents
- Schedule 1 Types of high potential incidents for section 195(2)(b) of the Act
- Schedule 1A Diseases for section 195(6) of the Act
- Schedule 2 Types of serious accidents and high potential incidents

A copy of the MQSHA and MQSHR is available at www.legislation.qld.gov.au

4. Guidance

4.1 Reportable diseases prescribed by regulation

Table 2 –Reportable diseases prescribed by regulation

Disease	Notes
Asbestosis	Pulmonary fibrosis from exposure to asbestos dust.
Chronic obstructive pulmonary disease	Most commonly associated with smoking, COPD has been shown also to be caused by dust exposure in mining, both coal and non-coal, particularly gold mining, probably from higher crystalline silica levels.
Legionellosis	Queensland Health has overarching powers to investigate Legionnaires' disease anywhere and it is also a <i>notifiable condition</i> under the Public Health Regulation 2005 (by pathology providers).
Occupational asthma	Asthma caused or exacerbated by the person's work or environmental factors at the person's workplace (e.g. exposure to sensitising compounds in the workplace, such as isocyanates in polyurethane compounds).
Occupational cancer	Cancer caused, wholly or partly, by the person's work or environmental factors at the person's workplace.
Silicosis	Pulmonary fibrosis from exposure to dust containing crystalline silica.

4.2 Types of High Potential Incidents prescribed by regulation

1. Theft or other loss of explosive
2. The entrapment of a person
3. An incident causing an emergency evacuation of the mine or part of it, other than as part of a training exercise
4. A catastrophic or major structural failure of plant
5. One of the following incidents, if the incident has the potential to cause a significant adverse effect on the safety or health of a person—
 - a. a fire
 - b. an inrush
 - c. damage to, or failure of, haulage winding of lifting equipment
 - d. an unplanned movement of, or a failure to stop, a vehicle
 - e. the failure in service of explosion protection or explosive protected plant
 - f. a failure of electrical equipment or an electrical installation
 - g. a failure of ground control support or reinforcement
 - h. the exposure of a person to a hazardous substance
 - i. an electric shock to a person
 - j. an unplanned immersion of a person in liquid or fluid
 - k. an unplanned movement of earth or rock
 - l. a structural failure of plant
 - m. an unplanned ignition or explosion of gas, dust or explosive
 - n. a spontaneous combustion of a material in an underground mine
 - o. an unforeseen incident that the site senior executive considers appropriate to be reported

4.3 Primary Information

1. The precise location where the accident, incident or death happened
2. When the accident, incident or death happened
3. The number of persons involved in the accident, incident or death
4. If the notification is about a death, whether or not caused by an accident—the name of the person who died
5. If the notification is about a serious accident or high potential incident—
 - a. the name of any person who saw the accident or incident, or who was present when the accident or incident happened; and
 - b. the name of any person who was injured as a result of the accident or incident
6. If no-one was present when the person died or was injured the name of the person who found the deceased or injured person
7. A brief description of how the accident, incident or death happened

Appendix 1 Reporting Requirements Flow Chart

