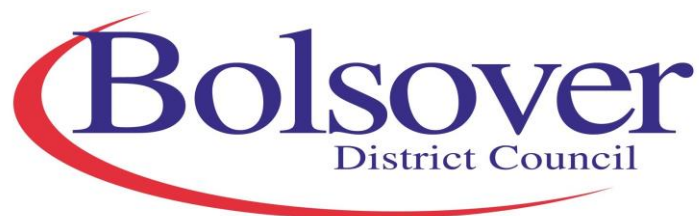


BOLSOVER DISTRICT COUNCIL

Accident Reporting and Investigation Policy and Procedure

September 2008



This Policy addresses the following Corporate Aims



COMMUNITY
SAFETY



CUSTOMER
FOCUSED SERVICES



STRATEGIC ORGANISATIONAL
DEVELOPMENT

Bolsover District Council Equalities Statement

Bolsover District Council is committed to equalities as an employer and in all the services provided to all sections of the community.

- The Council believes that no person should be treated unfairly and is committed to eliminate all forms of discrimination in compliance with the Equality Strategy.
- The Council also has due regard to eliminate racial discrimination and to proactively promote equality of opportunity and good relations between persons of different racial groups when performing its functions.

This document is available in large print and other formats from any of the Council offices or by contacting the Chief Executives Directorate on 01246 242323. Please bear in mind we will need a few days to arrange this facility.

If you need help to read this document please do not hesitate to contact us.

Our Equality and Improvement Officer can be contacted via **Email** or by telephoning 01246 242407.

Minicom: 01246 242450
Fax: 01246 242423

CONTROL SHEET

Details of Document	Comments / Confirmation
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CONTENTS

Section	Title	Page
1.0	Introduction	5
2.0	Scope	5
3.0	Principles	5
4.0	Policy statement	6
5.0	Responsibility	6
6.0	Accident & incident reporting procedure	7
6.1	Accidents	7
6.2	Violence	8
6.3	Work related diseases	8
6.4	Dangerous occurrences	8
6.5	Near Miss Reporting	8
7.0	Accident Investigation Guidelines	9
7.1	General Guidelines	9
7.2	Interviews with Victims and Witnesses	10
7.3	Recording your findings	10
8.0	Link to Accident Investigation Form on Intranet	11
9.0	Definitions	11
APPENDIX 1	– Dangerous Occurrences	12

1.0 INTRODUCTION

- This policy outlines the procedure to be adopted when an employee, visitor, customer or contractor suffers an accident or experiences a near miss or 'dangerous occurrence' (see Appendix 1).
- The policy describes reporting, recording and investigation procedures for managers.
- The policy sets out how the Council will meet its legal obligations to report and record accidents.
- The policy sets out how the Council will use the information from accident reports to continuously improve the safe delivery of services.

2.0 SCOPE

- The policy and procedure will apply to all employees, elected members, agency workers and volunteers who have an accident while they are engaged in activity or work on behalf of the Council.
- 'Work' will include any paid or voluntary duties carried out at whatever time, and includes travelling between sites during the working day, but not travelling to and from home at the start or end of the day.
- The policy and procedure will apply to service users, visitors (including contractors), clients and members of the public who have an accident whilst on our premises or using our facilities where the accident could have been caused by something under the Council's control.
- Contractors will be required to provide their own accident reporting procedure and also to provide details of any accidents occurring whilst working on our sites / premises, to their BDC Contract Administrator.

3.0 PRINCIPLES OF THE POLICY

- To aid accident investigation and reporting the Council positively encourages the reporting of all accidents and near misses and does not regard such reporting as an adverse reflection on the individuals abilities to perform their duties satisfactorily.
- Accident investigations will be seen as an opportunity to make improvements in managing services safely.
- Appropriate investigations will be undertaken for all reported accidents and near misses.

- Employees who suffer accidents, injuries or ill health will be supported, where appropriate, to return to work.

4.0 POLICY STATEMENT

- The Council will ensure that all accidents, work related ill health incidents and dangerous occurrences are reported and investigated, and action is taken to prevent recurrence.
- The Council will comply with the requirements of RIDDOR 1995 (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) and with the requirements of any external regulators.

5.0 RESPONSIBILITY

- **Chief Executive Officer** has overall responsibility for the management of Health and Safety and is responsible for ensuring that there are effective measures in operation to report, record and investigate accidents.
- **Senior Management Team** are accountable to the Chief Executive Officer for the operations and activities carried out within their areas of responsibility and for ensuring that effective arrangements are in place to report record and investigate accidents:
- **Heads of Service** are accountable to their Director for ensuring that the Accident Reporting and Investigation Policy is complied within their Service Area.
- **Line Managers** are responsible for ensuring that accident reports and investigations are used to continually improve the health and safety management systems within the Council with the aim of preventing accidents and ill health, and ensuring that an accident book is available.
- **All Employees** have a responsibility to report accidents, near misses and dangerous occurrences and to co-operate fully with any investigation into the events surrounding the incident.
- **The Health and Safety Officer** is responsible for updating the policy and providing training to managers and new employees on the systems in place for accident reporting and investigation, providing advice and guidance to support employees, reporting accidents to the Health and Safety Executive and reporting accidents on a quarterly basis to Safety Committee.
- **The Health and Safety Officer** can be contacted on ☎01246 (24)2403

6.0 ACCIDENT / INCIDENT REPORTING PROCEDURE

6.1 Accidents

Employees have a responsibility to report all accidents in the Accident Report Book (Form BI 510) within three working days.

The Line Manager must complete the accident book sheet on behalf of employees or others who are unable to report accidents themselves.

[Click to link to list of accident book holders](#)

Accident books are available from the Health and Safety Officer

The Line Manager must **telephone/email the Health and Safety Officer immediately** if an accident results in any of the following:

- Fractures other than to fingers, thumbs or toes.
- Amputation.
- Dislocation of the shoulder, hip, knee or spine.
- Loss of sight (temporary or permanent).
- Chemical or hot metal burn or any penetrating injury to the eye.
- Injury resulting from an electric shock.
- Any injury leading to an employee being admitted to hospital for more than 24 hours.
- Any injuries to people not at work (i.e. members of the public) as a result of an accident "arising out of or in connection with work" where they are taken to hospital from the scene of the accident.
- Accidents that occur as a result of failure or misuse of equipment

Managers must inform **the Health and Safety Officer** as soon as possible if the accident has resulted in an "**over 3 day injury**".

All of the above will be reported by the **Health and Safety Officer** to the Health and Safety Executive as required under RIDDOR (Reporting of Injuries Diseases and Dangerous Occurrences Regulations) within 5 working days of receipt of the report.

Managers must investigate all accidents within their responsibility and complete an "accident investigation report." This should be submitted to the **Health and Safety Officer** within 5 working days.

Managers must ensure that recommendations arising from all accident investigations including those conducted by more junior managers are implemented within reasonable and agreed time scales. If any recommendations cannot be implemented the reasons for this must be clearly documented along with the action plan.

Heads of Service must notify the Director of Resources immediately of any loss, liability or damage or any event or circumstances likely to lead to a claim, as required by S.4.7.7 of the Councils Constitution.

The Health and Safety Officer will produce accident statistics to identify trends and so improve their health and safety management.

- 6.2 Violence and aggression**, all incidents must be reported on the Council's violence report form. This can be accessed via the link below (control & click).

[Violence at Work Report Form](#)

If the violence results in the victim sustaining any personal injury then an accident form must also be completed.

6.3 Work Related Diseases and Ill Health

- Some 'work-related diseases' (although they may not be diseases as medically defined) are also reportable to the HSE. For example, Carpal Tunnel Syndrome suffered by an employee who uses hand held vibrating equipment or tools.
- These diseases become reportable to the HSE immediately on receipt of a written doctor's diagnosis.
- If a manager becomes aware of an employee who is suffering from a disease which may be linked to work they should inform the Health and Safety Officer immediately. The Health and Safety Officer and the Occupational Health provider will provide further advice and assistance.

6.4 Dangerous Occurrences

- If an incident occurs which falls under the HSE's definition of a 'dangerous occurrence' (see Appendix 1) this must be reported straight away to the Health and Safety Officer.
- The Health and Safety Officer will investigate and inform the HSE as soon as possible.

6.5 Near Miss Reporting

If you suffer from an incident that could be described as a 'near miss', for example you slip but do not fall, or a collision occurs but no damage is done, this also needs reporting. Use an accident form to do so but mark it 'near miss' and report it as you would an accident. This will provide us with useful information on areas that could cause us a problem, and enable us to manage them more effectively.

7.0 ACCIDENT INVESTIGATION GUIDELINES

7.1 General guidelines

The purpose of an accident investigation is to identify the immediate and underlying causes of the accident and to develop and implement preventative measures to ensure that the accident does not happen again. It is not a fault finding or blame allocating process.

Line managers are required to investigate any accident that occurs within their area of control. This must be reported to the Health and Safety Officer on the [Line Managers Accident Investigation Form](#) (control and click to link to the form).

Line managers will ensure that the report from the **accident book (B1 510)** is also forwarded to the Health and Safety Officer. A list of accident book holders is available [here](#) on the Council's **Health and Safety Webpage**.

The extent of any investigation will be determined by the manager and will vary. It will be influenced by factors such as the severity of an injury, the potential for injury, or awareness of similar previous incidents. The Health and Safety Officer will assist with any management investigations.

As a minimum the investigation should address all of the issues contained in the accident investigation form.

The investigation should look for the underlying cause of the accident. The following list is not exhaustive and provides a guide to some possible underlying causes:

- Non existent or confusing guidelines/procedures
- Lack of or poor quality, protective equipment
- Lack of, or poor quality, induction procedures
- Lack of, or poor quality, information instruction and training
- Poor communications
- Lack of co-operation and co-ordination
- Poor maintenance of equipment
- Non existent or poor quality risk assessments
- Poor control/supervision or monitoring
- Conflicting priorities/lack of time
- Unclear responsibilities
- Lack of resources
- Lack of commitment
- Lack of relevant policies

Are you convinced that the accident happened as stated and that the injuries were as stated in the accident book?

7.2 Interviews with the Injured Person, Witnesses, First Aider and Manager

- Conduct Interviews as soon as possible after the accident, but do not interrupt medical care to do this.
- Interview each person separately.
- Remind employees of their right to have a safety representative, trade union representative or work colleague present if they so wish.
- Interviews should not be unduly delayed while organising for a safety representative, trade union representative or work colleague to attend. It is important to gather facts while information is still clear in people's minds
- Put each person at ease. Reassure them that it is a fact-finding process only not a fault finding exercise.
- Try not to allow witnesses to confer prior to the interview.
- Guard against pitfalls of bias, embellishment and their interpretation of events.
- Do not ask leading questions e.g. "So your rushing caused you to over-reach and fall from the ladder?" Ask open-ended questions e.g. "What do you think caused you to fall from the ladder?"
- Ensure you have addressed the who, what, why, when, where and how.
- Summarise what you have been told and correct any misunderstandings.
- Written statements should be signed and dated by the relevant witnesses.
- Statements taken on behalf of witnesses should be carefully read back to them to ensure accuracy of content.
- Witnesses must be offered copies of their statements for future reference.

7.3 Recording your findings

- In the majority of cases the accident investigation form will suffice for the recording of the accident investigation.
- Please ensure that all parts of the accident form are fully completed and legible – an initialled electronic version of the form is acceptable instead of a signed paper copy.
- Particularly important areas are:
 - Time absent / returned to work – we need this information quickly as we have a legal requirement to inform the Health and Safety Executive for accidents resulting in absence of over three days.
 - Action Taken to avoid recurrence of the incident
- The Health and Safety Officer will keep accident records for at least **7 years**.

8.0 Link to Accident Investigation Form

[Line Managers Accident Investigation Form](#)

9.0 DEFINITIONS

Accident

"An unplanned and uncontrolled event which has led to or caused personal injury, damage or other loss."

Near Miss

"Any unexpected event, mistake, or error of judgement that does not result in harm or damage, but could have done. It is an opportunity to improve health and safety practice before anybody is hurt."

Over 3 day injury

"When a person at work is injured as a result of an accident and is away from work or not able to do the full range of their normal work for more than 3 consecutive days (excluding the day of the accident)." – Do not count the day of the accident / incident

Dangerous Occurrence

A dangerous occurrence is defined in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995. Examples of dangerous occurrences that may need to be reported to the HSE are an electrical short circuit or overloading causing fire or explosion, plant or equipment coming into contact with overhead power lines, the overturning or failure of lifting equipment. There is a fuller list in **Appendix 1**.

Violence

The term "accident" now includes acts of non-consensual violence to a person which occur at work and in circumstances relating to their work, and as such must be reported to the HSE if the victim suffers a major injury or if the victim ceases work for "over 3 days."

APPENDIX 1 (From HSE Riddor Website)

Specified 'Dangerous Occurrences' Relevant to our Activities are:

- Collapse, overturning or failure of load-bearing parts of lifts and lifting equipment;
- Explosion, collapse or bursting of any closed vessel or associated pipework;
- Failure of any freight container in any of its load-bearing parts;
- Plant or equipment coming into contact with overhead power lines;
- Electrical short circuit or overload causing fire or explosion;
- Any unintentional explosion, misfire, failure of demolition to cause the intended collapse, projection of material beyond a site boundary, injury caused by an explosion;
- Accidental release of a biological agent likely to cause severe human illness;
- Collapse or partial collapse of a scaffold over five metres high, or erected near water where there could be a risk of drowning after a fall;
- Failure of any load-bearing fairground equipment, or derailment or unintended collision of cars or trains;
- A dangerous substance being conveyed by road is involved in a fire or released;
- Unintended collapse of: any building or structure under construction, alteration or demolition where over five tonnes of material falls; a wall or floor in a place of work; any false-work;
- Explosion or fire causing suspension of normal work for over 24 hours;
- Sudden, uncontrolled release in a building of: 100 kg or more of flammable liquid; 10 kg of flammable liquid above its boiling point; 10 kg or more of flammable gas; or of 500 kg of these substances if the release is in the open air;
- Accidental release of any substance which may damage health.