

From mountain to sea

Accident & Incident Recording Policy & Guidance

1. **POLICY STATEMENT**

This document is intended to provide guidelines for all Aberdeenshire Council employees on the recording of accidents/ incidents, and in certain circumstances the reporting of these to the Health & Safety Executive (HSE).

2. **SCOPE OF THE POLICY**

All employees and third parties involved in an accident (specified, major/minor) or incident (violent/ near miss).

3. **OBJECTIVES**

The details of all accidents/incidents should be recorded and, in some cases, 'reported' so that:

- There is compliance with the law i.e. 'The Reporting of Injuries Diseases and Dangerous Occurrences Regulations 2013' (RIDDOR).
- Information/reports can be supplied in order to satisfy the requirements of the Social Security (Claims and Payments) Regulations 1979.
- Practical information can be provided, which may be necessary in dealing with claims of negligence.
- Accident/incident statistics can be collated, which are useful in discovering trends, assessing risk, prioritising corrective action, and the allocation of resources.

4. **RESPONSIBILITIES**

Services are responsible for the management of this policy and should:

- Ensure that all accidents/incidents are reported/recorded and investigated where necessary.
- Ensure control measures are in place to eliminate or reduce the effects of hazards identified by risk assessment.
Keep the required records.
Arrange necessary information, instruction or training for relevant employees.

THE LAW

It is important to understand what the Law is and what our obligation/duties are under the law. All health and safety legislation is 'statute law' and any breaches may result in prosecutions (and possible conviction) in criminal courts.

Under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR), the Council has a clear duty to report and record certain specified injuries, diseases and dangerous occurrences, to the Health and Safety Executive (HSE) who are the enforcing authority.

WHAT HAS TO BE REPORTED /RECORDED?

The regulations are complex but in broad terms they concern accidents and injuries to 'employees injured or harmed while at work' or 'third parties' injured or harmed in accidents arising in connection with our work.

From mountain to sea

In brief 'third parties' are any persons who are not our employees but who are or could be injured or harmed by the Council's work activity.

As well as injuries, diseases and dangerous occurrences reportable to the HSE, the Council requires the recording of significant minor injury, near miss and violent incidents.

EMPLOYEES

Injuries to employees, which result in a fatality, specified injury (listed below), or an incapacity to undertake their normal duties for more than 7 days, resulting from an accident arising out of or in connection with work, are reportable to the HSE.

Where any person at work dies, or suffers a major injury, this must be reported to the HSE and the Council's Health & Safety Unit by the quickest practicable means.

THIRD PARTIES

A third party being taken directly from the scene, as a result of any work related injury to hospital (or similar treatment).

The term 'third parties' means and includes:

- Residents in nursing /residential homes.
- All 'Service Users'.
- Visitors to any of our buildings or establishments.
- Any members of the general public, including pupils at school, who may be affected by what we do in terms of 'work activity'.

INJURIES AND INCIDENTS THAT ARE REPORTABLE TO HSE.

SPECIFIED INJURY

The list of 'specified injuries' in RIDDOR 2013 replaces the previous list of 'major injuries' in RIDDOR 1995. Specified injuries are:

SPECIFIED INJURIES TO WORKERS

The list of 'specified injuries' in RIDDOR 2013 includes:

- a fracture, other than to fingers, thumbs and toes.
- amputation of an arm, hand, finger, thumb, leg, foot or toe.
- permanent loss of sight or reduction of sight.
- crush injuries leading to internal organ damage.
- serious burns (covering more than 10% of the body, or damaging the eyes, respiratory system or other vital organs);
- scalping's (separation of skin from the head) which require hospital treatment; unconsciousness caused by head injury or asphyxia.
- any other injury arising from working in an enclosed space, which leads to hypothermia, heat-induced illness or requires resuscitation or admittance to hospital for more than 24 hours.

From mountain to sea

OVER 7 DAY INJURIES

An over-7-day injury is one which has not been reported as a 'major injury' but results in the injured person being away from work or unable to undertake their full range of normal duties for more than seven days, not counting the day of the accident, but including any days which they would not have normally been working (i.e. weekends, rest days or holidays must be included).

OCCUPATIONAL DISEASE – REPORTABLE TO HSE

A work-related disease which is reportable to the HSE under RIDDOR.

The HSE must be notified as soon as the employer has received a formal written diagnosis from a Doctor confirming the employee has one of the occupational diseases listed corresponding to the work activity in Regulation 8 of RIDDOR, and that there is reason to believe that the disease is likely to have an occupational origin from the employee's current job.

The Occupational Health Adviser should be notified in the first instance and all reports made through the Council's accident and incident reporting database.

DANGEROUS OCCURANCES –REPORTABLE TO HSE

Certain incidents defined as a "Dangerous occurrence" within Schedule 2 of RIDDOR are reportable to the HSE. (These are defined occurrences of a major nature and should not be confused with 'near miss' reports.

Where an injury results and is reportable under one of the above categories 'injuries – reportable to HSE' then the dangerous occurrence should not be reported separately.

The full list of categories is in Schedule 2 of the Regulations or can be obtained from the Health and Safety Unit.

OVER 3 DAY INJURIES

All over-3-day injuries must be recorded for statistical purposes and records of such injuries be available to the HSE on request.

ACCIDENTS AND INCIDENTS THAT ARE NOT REPORTABLE TO HSE VIA RIDDOR

The following categories of injuries and incidents are recordable on the corporate Accident and Incident System

MINOR INJURY

A work related injury which does not fall into the 'reportable' classification under RIDDOR.

NEAR MISS INCIDENTS

Where no actual injury or damage has occurred, and only good fortune has prevented an injury from happening.

VIOLENT INCIDENTS

A violent incident as classified within the Aberdeenshire Council Violence Policy.

From mountain to sea

INVESTIGATIONS OF ACCIDENTS AND INCIDENTS

Line Managers are required to investigate all accidents and incidents, record the results and inform relevant individuals of the outcome.

If more than one person is injured in the same incident there must be separate entries for each of those persons.

After investigating any accidents or incidents reported to them, line managers should take the appropriate action necessary to prevent a recurrence. Where these are of a significant nature, the results should be recorded on the investigation form.

To complete the report form properly it will be necessary to carry out a certain amount of investigation. This can be achieved by establishing the following facts:

- What was the injured person doing at the time and why?
- How was the task being undertaken?
- What tools/equipment were being used, and were they fit for purpose?
- Were there any obvious factors that contributed to the accident/injury?

Plus all the other answers to the questions set out on the report form, which covers the areas that should be considered:

- Was a suitable risk assessment undertaken?
- Were suitable control measures in place?
- Is a review of the risk assessment and control measures required?
- Is further training required?

In some cases it may be necessary to visit the injured person(s) at home or even in hospital to find out in detail what happened and what caused the accident so that the managers/ supervisors in charge can complete the investigation, and take any necessary action as quickly as possible to prevent any future problems.

It is also very important that the injured person is kept informed the outcome of any investigation or any action taken.

INVESTIGATION BY THE CORPORATE HEALTH & SAFETY UNIT

The Corporate Health & Safety Unit receive notification of all accidents/incidents recorded on the database, and will make a decision as to whether they feel it requires to be investigated. This will usually depend on the severity of the injuries or potential for injury.

Again depending on the nature of what is reported to the Health & Safety Unit, it may be necessary to make a visit, discuss with individuals, write a report to Management, or it may be enough to just call the line manager and confirm the actions proposed/ taken.

INVESTIGATION BY TH HSE

The HSE can receive notification into their contact centre office in Wales by the means stated above. Any alternative method used to e-mail generated by the database, should be followed up by this method within 10 days of the accident/incident.

The HSE will make a judgement from the information provided as to whether they wish to investigate.

From mountain to sea

EXAMPLES OF REPORTABLE AND NON-REPORTABLE INCIDENTS TO THE HSE

EMPLOYEES

- An employee suffers a specified injury whilst carrying out their normal duties – it is reportable to the HSE.
- An employee suffers a minor injury whilst carrying out their normal duties at work – it is not reportable to the HSE but recorded as a minor injury on the Council's database.
- An employee is narrowly missed by a falling cabinet in a depot – it is not reportable to the HSE but should be recorded as a near miss on the Council's database.
- An employee suffers a minor injury but is off work due to the injury for 10 days – it is reportable to the HSE as is classed as an over-7-day injury.

THIRD PARTIES

- A third party falls over an item of equipment, (i.e. a cable, an item of furniture or badly laid/replaced carpet), left by one of our employees during the course of work. The third party suffered an injury which required him/her to be taken to hospital for treatment; this accident must be reported to the HSE because the accident was 'in connection with work' and the injured party was taken to hospital from the scene.
- A third party suffers a specified injury caused by the failure of equipment owned by the Council or by any work activity engaged in by Council employees and the third party is taken to hospital for treatment - it is reportable to the HSE.
- Had there been no injury – it is not reportable to the HSE, but may be recorded as a near miss on the Council's database.
- If there was an injury but it did not require hospital treatment – it is not reportable to the HSE, but may be recorded as a minor injury on the Council's database.
- If the accident was not caused by an activity 'in connection with the Council's work' – it is not reportable to the HSE or recorded as a major injury on the Council's database, however it should be recorded as a minor injury to allow for any necessary prevention of a recurrence".

ALL WORK-RELATED ACCIDENTS AND INCIDENTS, REPORTABLE OR NOT TO THE HSE, MUST BE RECORDED ON THE COUNCIL'S DATABASE.

Access to the database is controlled by each Service, in order to maintain data protection for individuals. Nominated individuals have been given 'author' access to the database, which can input and amend the records. All nominated individuals will have received appropriate training on the database before being allowed to use it.

Not all Service functions have access to a PC or Arcadia, therefore specific arrangements are in place for individual Services to deal with the procedures for reporting and recording.

Blank forms can be printed from the database or from the Health & Safety policy and guidance section on Arcadia (click on MY JOB, then HEALTH & SAFETY). A stock of blank forms should be passed to operational staff that do not have access to a PC or Arcadia.

Reportable accidents/diseases can be sent directly via the system to the HSE. When a reportable accident is entered into the database, nominated Service individuals and the Health & Safety Unit are automatically informed.



From mountain to sea

WHO SHOULD REPORT?

The injured person's line manager should be informed as soon as possible and is the person responsible for ensuring that the appropriate report form is completed.

On some occasions when this is not possible it will be the 'person in charge' at the time of the accident. The injured person must not complete the forms themselves.

HOW TO REPORT

The Council uses a central database for the reporting and recording of all accidents and incidents. This can be accessed through Arcadia (by clicking on the category in MY JOB).

Where any person at work dies, or suffers a specified injury, this should be reported to the HSE and the Council's Health & Safety Unit by the quickest practicable means. Where a 'Specified Injury' or 'Injury resulting in an over 7 Day absence' is selected, the HSE are notified of the incident by a default email being generated and sent to HSE

Depending on the seriousness of the incident, you may also need to inform your Service Director, the Council's Communication, HR, Legal or Insurance Sections.

Alternative methods of reporting directly to the HSE, are as follows:

- Tel: 0845 300 9923 (Fatalities and Specified Injuries only Quoting Ref: W6J2Q)
- Fax: 0845 300 9924
- Post: Incident Contact Centre, Caerphilly Business Park, Caerphilly, CF83 3G

Where an alternative method is used for communicating in the first instance to the HSE, then the report must be recorded on the database as soon as possible (but within 10 days of the incident).

OCCUPATIONAL HEALTH ADVICE

The Council employs an Occupational Health Nurse Adviser, located within the Health & Safety Unit, who is available to advise on all aspects of occupational health/ill-health, including pre and post referral to the Council's external occupational health provider.

INFORMATION, INSTRUCTION AND TRAINING

INDUCTION TRAINING

Line managers should communicate the reporting procedures for any accidents/ incidents to their employees at Induction. Employees should be instructed to report any work-related accident, symptom, violent or near miss incident to their line manager as soon as possible, who will investigate as appropriate. Further information on the requirements of RIDDOR and the categories of injuries are available at www.hse.gov.uk/riddor.

If further information is required on Accident Investigation contact the Health and Safety Unit on 01467 537515.

TRAINING ON THE USE OF THE ACCIDENT REPORTING SYSTEM

An e-learning package is available on Aldo, for employees who have been nominated by their Service to record information relating to accidents/incidents, onto the reporting database.

All employees required to input into this system must have to have gone through the above training prior to use.

From mountain to sea

REFRESHER TRAINING

Refresher training should be undertaken regularly, as dictated by the Service Training Policy.

RECORDS

Records of all training should be retained by the Services/Development & Training to allow for future review of control measures and verification of compliance with relevant statutory duties and should include:

- Course by: title, trainer, content and date.
- Attendance by: employee name, payroll number, job title, service.
- E-learning package completed.

Course evaluation forms are available on Arcadia under the Training & Development section.

AUDIT AND REVIEW

The Health & Safety Unit will undertake safety sampling or health & safety audits of the management systems, which are in place to control and monitor accidents and incidents. This will be carried out at regular intervals as agreed and detailed in Service Health & Safety Action Plans. Quarterly reports will be prepared by the Health & Safety Unit and presented to Service Management Team or Health & Safety Committees.

GLOSSARY OF TERMS

HSE - Health and Safety Executive

RIDDOR - The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

MHSAWR - Management of Health & Safety at Work Regulations 1999.

Arcadia - Aberdeenshire Council's Intranet.

REFERENCE DOCUMENTATION/ INFORMATION

HSE Publications

A Guide to Reporting of Injuries, Diseases and Dangerous occurrences Regulations 2013 – L73

Management of Health and Safety at Work Regulations 1999 – ACOP – L21

What to expect when a Health & Safety Inspector calls – HSC14

HSE Website Address – www.hse.gov.uk

Arcadia - Click on the header MY JOB, then HEALTH & SAFETY, then POLICIES & GUIDANCE to find this guidance note and also related Appendices.

Advice / Useful Contact Information

For further advice and guidance please contact the Council's Health and Safety unit on 01467 537515