



Accident & Incident Reporting & Investigation in Practice

November 2017

Signed (Chair of the Local Governing Body):	
Date:	November 2017
Date of Review:	November 2018

The Arbor Academy Trust reviews this policy annually. The Trustees may, however, review the policy earlier than this, if the Government introduces new regulations, or if the Trust receives recommendations on how the policy might be improved. This document is also available in other formats e.g. e-mail and enlarged print version, on request to the School Offices and is displayed on the schools' websites.

Introduction

At Arbor Academy Trust we report and investigate, as necessary, work place incidents. This document states our procedures and policies in dealing with the effects of an incident and unexpected events in order to reduce their consequences.

The objectives of this document are to ensure that we:

- monitor and review the measures we have put in place to help control risk and prevent accidents and incidents from happening.
- Use findings from investigations to form the basis of action to prevent the accident or incident from happening again,
- improve claims defensibility and to improve an academy's overall risk management.
- Comply with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013 which requires academies to report certain incidents arising out of or in connection with work, to the Health and Safety Executive (HSE). See definitions below.

Definitions

- Near Miss: an event not causing harm, but has the potential to cause injury or ill health;
- Accident: an unplanned/unexpected event that results in injury or ill-health;
- Over 3-Day Lost Time Injury: a period of time that when exceeded must be monitored in-house to comply with RIDDOR;
- Over 7-Day Lost Time Injury: a period of time, that when exceeded is, reportable as defined by RIDDOR;
- Specified Injury: one of a number of specified, reportable injuries, as defined by RIDDOR;
- Disease: one of a number of specific, reportable diseases, as defined by RIDDOR;
- Dangerous Occurrence: one of a number of specific, reportable adverse events, as defined by RIDDOR.

Near Miss Reporting

The reporting of Near Misses is encouraged as this allows us the opportunity to take corrective action in order to prevent an accident without anyone coming to harm in the first instance.

The Near Miss form (see Appendix 1) should be completed to report the incident including the following:

- A brief description of the Near Miss circumstances; where, when what happened etc.
- Details of the immediate actions taken to make the situation safe (if any); and
- Details of any further actions recommended.

All near misses are to be reviewed as soon as possible after the occurrence where any additional corrective actions are agreed, planned and recorded.

Accident Reporting

Any accident resulting in injury or ill-health should be reported, in-house, and recorded at the earliest opportunity.

An Accidents reports form should be completed including the following:-

- Date and time of the accident;
- Location of the accident;
- Name, sex, age and address of the injured person;
- Names of any witnesses;
- Detail of the injury and treatments given; and
- Whether the accident is reportable under RIDDOR.

The accident should not be reported by the injured person and the person reporting the accident should avoid stating what they believed to have occurred. This will be determined as a result of further investigation. However, it is acceptable for the injured person to allege what happened. Appendix 2.

The completed accident form is to be reviewed by the appropriate person at the earliest opportunity to decide if a further investigation is required. The potential consequences and the likelihood of an incident recurring or resulting in a claim should determine the level of investigation, if any, not simply the injury or ill health suffered as a result of the incident. For example:-

- Is the harm likely to be serious?
- Is this likely to happen often?

Similarly, the causes of a near miss can have great potential for causing injury and ill health. When making decisions, Arbor Academy Trust also consider the potential for learning lessons. We investigate all incidents which may affect the public.

RIDDOR Accidents

Any work-related death, specified injury, disease relating to an employee or a dangerous occurrence that is specified under RIDDOR must be reported. Injuries to pupils and visitors who are involved in an accident at the academy or on an activity organised by the academy are only reportable under RIDDOR if the accident results in:-

- The death of the person, and arose out of or in connection with a work activity; or
- An injury that arose out of or in connection with a work activity and the person is taken directly from the scene of the accident to hospital for treatment (examinations and diagnostic tests do not constitute treatment).

The duty to notify and report rests with the 'responsible person'. For incidents involving pupils and school staff, this is Headteacher - Bronwen Chalmers/ Lisa Bogle.

Incidents involving contractors working on Arbor Academy premises are reportable by their employers.

If a self-employed contractor is working in our premises and they suffer a specified injury or an over-seven-day injury, Arbor Academy will be the responsible person- Bronwen Chalmers/ Lisa Bogle.

For incidents on academy premises involving members of staff, pupils or visitors, Waltham Forest Local Authority is the enforcing authority; however, all RIDDOR accidents are reported to the HSE.

Online RIDDOR report: <http://www.hse.gov.uk/riddor/report.htm>

Telephone RIDDOR report: Incident Contact Centre on 0345 300 9923 (opening hours Monday to Friday 8.30 am to 5 pm).

Types of Reportable Incident

Over 3-Day Lost Time Injury:-

A record is kept of them for at least three years after the incident.

Over 7-Day Lost Time Injury:-

Accidents which prevent the injured person from continuing their normal work for more than seven days (not counting the day of the accident, but including weekends and other rest days) are reported within 15 days of the accident.

Death or Specified Injury:-

Accidents which result in death or a specified injury are reported without delay. Specified injuries include:-

- Fractures, other than to fingers, thumbs and toes;
- Amputations;
- Any injury likely to lead to permanent loss of sight or reduction in sight;
- Any crush injury to the head or torso causing damage to the brain or internal organs;
- Serious burns (including scalding), which: – cover more than 10% of the body; or –cause significant damage to the eyes, respiratory system or other vital organs;
- Any scalping requiring hospital treatment; and
- Any loss of consciousness caused by head injury or asphyxia.

The lists of specified injuries and diseases described only apply to employees. If a pupil injured in an incident remains at school, is taken home or is simply absent for a number of days, the incident is not reportable unless the incident was caused by:-

- A failure in the way a work activity was organised (e.g. inadequate supervision of a field trip);
- The way equipment or substances were used (e.g. lifts, machinery, experiments etc.);
- The condition of the premises (e.g. poorly maintained or slippery floors).

Disease:-

Arbor Academy reports occupational diseases when a written diagnosis is received from a doctor that AN employee has a reportable disease linked to occupational exposure. These include:-

- Carpal tunnel syndrome;
- Severe cramp of the hand or forearm;
- Occupational dermatitis, e.g. from work involving strong acids or alkalis, including domestic bleach;
- Hand-arm vibration syndrome;

- Tendonitis or tenosynovitis of the hand or forearm;
- Any disease attributed to an occupational exposure to a biological agent.

Dangerous Occurrences:-

These are specified near-miss events, which are only reported if listed under RIDDOR. Reportable dangerous occurrences may include:-

- The collapse or failure of load-bearing parts of lifts and lifting equipment;
- The accidental release of a biological agent likely to cause severe human illness;
- The accidental release or escape of any substance that may cause a serious injury or damage to health;
- An electrical short circuit or overload causing a fire or explosion.

Some acts of non-consensual physical violence to a person at work, which result in death, a specified injury or a person being incapacitated for over seven days, are reportable. In the case of an over-seven-day injury, the incapacity must arise from a physical injury, not a psychological reaction to the act of violence.

Accident Investigation

To avoid a near miss developing into an accident or an accident being repeated with more serious outcomes Arbor Academy investigates and take appropriate action. An effective investigation requires a methodical, structured approach to information gathering, collation and analysis .Near misses and accidents (incidents) have many causes. What may appear to be bad luck (being in the wrong place at the wrong time) can, on analysis, be seen as a chain of failures and errors that lead almost inevitably to the incident.

These causes can be classified as:-

- Immediate causes: the agent of injury or ill health (the blade, the substance, the dust etc.);
- Underlying causes: unsafe acts and unsafe conditions (the guard removed, the ventilation switched off etc.);
- Root causes: the failure from which all other failings grow, often remote in time and space from the adverse event (e.g. failure to identify training needs and assess competence, low priority given to risk assessment etc.).

To prevent incidents Arbor Academy provide effective risk control measures which address the immediate, underlying and root causes. Depending on the level of the investigation, a number of persons may be involved in an investigation including, teachers, line managers, health and safety professionals, union safety representatives, employee representatives and senior management/ directors.

The urgency of an investigation will depend on the magnitude and immediacy of the risk involved (e.g. a major accident involving an everyday job will need to be investigated quickly). In general, incidents will be investigated and analysed as soon as possible. A template for recording the findings of an investigation are included in Appendix 3.

Following an Accident & Incident – Initial Steps

Emergency response:-

- Take prompt emergency action (e.g. first aid);

- Make the area safe (in some cases this may need to be done first).

Initial report:-

- Preserve the scene;
- Note the names of the people, equipment involved and the names of the witnesses;
- Report (accident report) the adverse event to the person responsible for health and safety- Rebecca Corderoy/ Lisa Bogle - who will decide what further action (if any) is needed.

If a RIDDOR:-

- Report the incident to the HSE if and when appropriate.

Investigation:-

- Decide who will conduct the investigation; and
- Begin the investigation.

Accident & Incident Investigation – Key Steps

1. Confirm where and when the incident happened;
2. Confirm who was injured/suffered ill health or was otherwise involved with the adverse event;
3. Decide what appears to have happened and note any equipment involved;
4. Confirm what activities were being carried out at the time of the incident;
5. Decide if there was there anything unusual or different about the working conditions;
6. Determine if there were adequate safe working procedures and were they followed;
7. Determine the injuries or ill health effects, if any, were caused;
8. Determine if the risk was known. If it was known, why wasn't it controlled? If the risk wasn't known, why?
9. Determine if the organisation and arrangement of the work influence the incident;
10. Determine if any maintenance and cleaning was sufficient? If not, explain why not;
11. Determine if the people involved were competent and suitable;
12. Did the workplace layout influence the incident?
13. Did the nature or shape of the materials influence the incident?
14. Did difficulties using the plant and equipment influence the incident?
15. Was the safety equipment / PPE sufficient?
16. Did other conditions influence the incident?
17. What were the immediate, underlying and root causes?
18. What risk control measures are needed / recommended?

19. Do similar risks exist elsewhere? If so, what and where?
20. Determine whether similar incidents happened before? Give details.
21. Decide which risk control measures should be implemented in the short and long term.
22. Determine which risk assessments and safe working procedures need to be reviewed and updated.
23. Confirm that the details of the incident and the investigation findings been recorded and analysed? Decide if there are any trends or common causes which suggest the need for further investigation.
24. Determine the incident cost.

Witness Statements:-

Where ever possible witness statements should be taken. If a person present at the time of the incident says that they didn't see or hear anything, record this in a statement, known as a negative witness statement. This cannot then be retracted at a later date. All witness statements are signed and dated by the witnesses.

CCTV footage and photographs:-

If CCTV footage is available, it is kept the footage as part of the investigation.

If no CCTV footage is available photographs will be taken as soon after the incident as is possible.

Common law requires those with a "duty of care" to reduce foreseeable risk so far as is reasonably practicable.

Arbor Academy will recommend changes if an accident occurred or could occur, as a result of a foreseeable risk and the change is reasonably practicable. Sometimes an accident occurs and the risk management controls in place are adequate and do not need to be improved.

Record Keeping

Anyone suffering an injury may bring a civil claim against the Trust) for up-to 3 years after the date of the incident. However, judges may choose to hear cases beyond this date where circumstances prevented a claim being made sooner e.g. the claimant was in a coma. Therefore all injury related accident reports and related documentation is kept for at least 4 years.

Anyone suffering ill-health may bring a civil claim against the Trust up-to 3 years after the date of diagnosis, which could be many years in the future. Therefore all ill-health related accident reports and related documentation is kept permanently.

Appendix 1

<u>Near Miss Report</u>
Part 1: Completed by person observing near miss
Date: Time: Name:
Record the details of the Near Miss:
Record any corrective action you have taken:
Record any additional corrective action you think is required:
Please send completed reports to: Human Resources Manager (Loren Feeley)
Part 2: Completed by the H&S Manager/ Business Manager
Further investigation required: Y / N What: By When: Who: Completed: Y / N

Appendix 2

<u>Accident Report</u>	
Part 1: Completed by a third party	
Date:	
Time:	
Location:	
Details of the injured person	
Name:	
Sex:	
Age:	
Address:	
Names of any Witnesses:	Written statements received Y/N
Detail of the injury and treatments given:	
Please send completed reports to: Human Resources Manager (Loren Feeley)	
Part 2: Completed by the H&S Manager/ Business Manager	
Is this RIDDOR reportable incident? Y/ N	Date reported:
Further investigation required: Y / N	
What:	
By When:	
Who:	
Completed: Y / N	

Appendix 3:

<u>Accident Investigation Record</u>			
Details of the Incident:			
Reported By:		Date and Time of Incident:	
Name of Injured Person		Names of Witnesses:	
First Aid Required:	Y /N	Hospital Required:	Y /N
Type of Incident:	Near Miss/	Accident /	RIDDOR
Brief Details (e.g. what, where, when, who and action taken):			
<u>Investigation Findings:</u>			
Question		Answer	
Where did the incident happen?			
Who was injured/suffered ill health, and who else was involved?			
What happened?			
What activity was taking place at the time of the incident?			
Was anything unusual about the circumstances at the time of the incident?			
Were adequate procedures in place and were they followed?			
What is the nature of the ill health / injury?			
Was the hazard / risk known?			
Did the arrangement and organisation of the work contribute, if yes how?			
Was maintenance or cleaning adequate? If not, why not?			
Were people involved trained / experienced?			
Did the workplace layout contribute, if so how?			

Did the nature or shape of materials contribute, if yes how?		
Did difficulties using equipment contribute, if yes how?		
Was safety equipment/PPE satisfactory, if no why?		
Did other conditions contribute, if yes how?		
What are the Immediate, Underlying and Root Causes of the incident?		
Do similar risks exist elsewhere? Or, have similar incidents happened before?		
Do any risk assessments and related procedures require review and updating? If so which?		
<u>Recommendations:</u>		
What additional control measures are required / recommended for this incident?		
By when?		
By Who?		
<u>Records Reviewed and Retained as Evidence:</u>		
Additional	Information Type Included	Y / N
Appendix 1 Accident Report		
Appendix 2 Investigation Report		
Appendix 3 Witness Statements		
Appendix 4 Photographs / Diagrams		
Appendix 5 Training Records		
Appendix 6 Risk Assessments (before)		
Appendix 7 Risk Assessments (After)		
Appendix 8 Other Relevant Records		
Completed By:		Date: