

Reporting and Investigating Accidents

Level 3 Health and Safety in the Workplace

Introduction

It is good practice to keep a written record of all accidents and near misses that occur in your workplace in order to help with the risk assessment process. In fact, it is a legal requirement to record accidents and near misses where businesses employ ten or more people.

These records provide the means to investigate and design out potential future accidents and near misses, and also ensure that you have sufficient information in the event of legal action.

This section of the course outlines your workplace's responsibilities in regards to reporting and investigating accidents in more detail.

Topics to be Covered

The topics covered in this section are:

- Workplace injuries
- The accident triangle
- Legal requirements
- RIDDOR
- Occupational diseases
- Dangerous occurrences
- Investigations

Workplace Injuries

The Labour Force Survey estimates that there are over 620,000 non-fatal employee injuries each year, resulting in approximately 4.5 million lost working days.

The most common types of workplace injuries are related to:

- Falls from height.
- Being struck by a moving vehicle.
- Being struck or hit by a moving object.
- Handling, lifting or carrying.
- Slips, trips and falls.

According to the HSE, the industries that report the most workplace injuries are agriculture, forestry and fishing; construction; accommodation and food services; transport and storage; manufacturing and wholesale; and retail trade.

Accidents and injuries can happen at any time and to anyone, which is why risk assessments and adequate health and safety control measures are so important. Some key factors that contribute towards workplace accidents include:

- Insufficient communication.
- Inadequate training and follow-up refresher training.
- Unclear or obsolete operating procedures.
- Not following procedures correctly or taking short cuts.
- Procedures not being updated following changes.
- Inadequate engineering and maintenance.
- Inadequate workplace layout and facilities, such as signage and lighting.

The Accident Triangle



The accident triangle was originally developed by Herbert William Heinrich (an American industrial safety pioneer) in 1931, and is also known as Heinrich's Law. It states that, for every single accident that causes a major injury, there will have been 29 accidents that caused minor injuries and 300 near misses beforehand.

The triangle is based on probability and assumes that the number of accidents is inversely proportional to the severity of those accidents. It leads to the conclusion that minimising the number of minor incidents and near misses will therefore lead to a reduction in major injuries.

For this reason, it's important to look at all workplace incidents as sources of information on what is going wrong. Don't rely solely on records of major injuries. Each minor incident and near miss can offer information as to its cause, and allows the safety failures to be identified before they result in a more serious injury.

Legal Requirements

If you employ ten or more people then you are legally required, under the Social Security (Claims and Payments) Regulations 1979, to provide an accident book where employees, or people acting on their behalf, can enter details of accidents leading to injury.

If you employ fewer than ten people, it is recommended that you provide an accident book to keep details of all accidents and near misses, but it is not a legal requirement.

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) further require employers to officially report any work-related deaths and certain work-related injuries, diseases and dangerous occurrences that happen to their employees whilst at work.

Legal Requirements - RIDDOR

RIDDOR is the law that requires employers, as well as other people in control of work premises, to keep records of and report:

- All work-related accidents which cause death.
- All work-related accidents which cause certain serious injuries.
- All diagnosed cases of certain work-related diseases.
- Certain dangerous occurrences (incidents with the potential to cause harm).
- Certain reportable gas incidents.

When a report is made under RIDDOR, the enforcing authorities (the Health and Safety Executive, Local Authority and Office for Rail Regulation) are notified so that they can identify whether an investigation is needed.

Not all accidents need to be reported under RIDDOR. A report is only required when the accident was work-related, and the accident resulted in a 'specified injury', as identified by RIDDOR.

The specified injuries that must be reported are:

- Fractures (other than to fingers, thumbs and toes).
- Amputation of an arm, hand, finger, thumb, leg, foot or toe.
- Any injury likely to lead to permanent loss of sight or reduction in sight in one or both eyes.
- Any crush injury to the head or torso, causing damage to the brain or internal organs.
- Any burn injury (including scalding).
- Any degree of scalping requiring hospital treatment.
- Any loss of consciousness caused by head injury or asphyxia.
- Any other injury arising from working in an enclosed space.

If an employee is away from work or unable to perform their normal work duties for **more than seven consecutive days** as a result of their injury, then the accident must be reported.

This seven day period does not include the day of the accident itself but does include weekends and rest days.

A report must be made within 15 days of the accident.

If an employee or self-employed person cannot work for **more than three consecutive days** as a result of their injury, then this must be recorded in the accident book. The record of the three day injury in the accident book is sufficient for RIDDOR and there is no need to report it until seven days have passed.

Accidents to members of the public, or others who are not at work, must be reported if they result in an injury and the person is taken directly from the scene of the accident to hospital for treatment.

Examinations and diagnostic tests are not classified as 'treatment' in these situations.

Incidents do not need to be reported where people are taken to hospital purely as a precaution and no injury is apparent.

If the accident occurs at a hospital, a report only needs to be made if the injury is one of the 'specified injuries' mentioned previously.

Occupational Diseases

RIDDOR also requires businesses to report cases of certain occupational diseases.

The reportable diseases are:

- Carpal tunnel syndrome.
- Cramp of the hand or forearm.
- Occupational dermatitis.
- Hand-arm vibration syndrome.
- Occupational asthma.
- Tendonitis or tenosynovitis.

There is also a further list of reportable diseases if they are contracted offshore, such as on an oil drilling platform or offshore wind farm.

Dangerous Occurrences

A dangerous occurrence is an infrequent incident with a high potential to cause death or serious injury, often called a 'near miss' incident. There are three kinds of reportable dangerous occurrence:

1. General (incidents occurring at any workplace).

General dangerous occurrences apply to all workplaces and include: incidents involving lifting equipment; pressure systems; overhead electric lines; electrical incidents causing explosion or fire; explosions; biological agents; radiation generators and radiography; breathing apparatus; diving operations; collapse of scaffolding; train collisions; wells; and pipelines or pipeline works.

2. Incidents occurring at any place other than an offshore workplace.

These incidents do not require a report if they occur at an offshore workplace. They include structural collapses; explosions or fires; releases of flammable liquids and gases; and hazardous escapes of substances.

3. Incidents occurring at specific types of workplace.

Industries with specific requirements are offshore workplaces, mines, quarries and relevant transport systems.

Gas Incidents

Distributors, fillers, importers and suppliers of flammable gas must report incidents where someone has died, lost consciousness or been taken to hospital for treatment for an injury arising in connection with that gas.

Gas Safe Register engineers must provide details of any gas appliances or fittings that they consider to be dangerous and which could cause people to die, lose consciousness or require hospital treatment because of them.

Unsafe gas appliances and fittings should also be reported.

Exercise

Which of the following does NOT need reporting under RIDDOR?

- Occupational dermatitis
- Injuries that last for seven or more consecutive days
- Fractures to the arms or legs
- Injuries that last for three consecutive days**
- Burn injuries

Investigations

To ensure that your business is operating within the law, Regulation 5 of the MHSWR requires employers to control, monitor and review their health and safety arrangements. Investigations into workplace accidents form an essential part of this process.

When an accident, injury or near miss occurs, and if the injured party seeks legal action, employers are expected to make full disclosure of the circumstances that led to the accident, injury or near miss. This is why it's essential to keep diligent records.

If your business can prove that it investigates all accidents and takes remedial action to prevent them happening again, then this would demonstrate to a court that your company has a positive attitude towards health and safety.

Your investigation's findings will also provide essential information for your insurers in the event of a claim.

Doing an investigation will also help to prevent further, similar events, including the prevention of financial losses due to disruption, lost orders and the costs of criminal and civil legal actions.

An investigation will also improve employee morale and attitudes towards health and safety. Employees are much more likely to be cooperative in implementing new safety precautions if they are involved in the decision and can see that problems are actively being dealt with.

The urgency of an investigation will depend on the magnitude and immediacy of risk. Adverse events should be investigated and analysed as soon as possible, as memory and motivation are usually greatest straight after the accident, injury or near miss has occurred.

An investigation will only be successful if it:

- Is suitable for the purpose and proportionate to the risk.
- Is thorough, systematic and structured.
- Is carried out with prevention in mind, not apportioning blame.
- Doesn't jump to conclusions.
- Is based on the facts provided.
- Follows the causal chain all the way up the organisation.
- Explores all lines of enquiry.
- Is timely, objective and unbiased.
- Identifies immediate, underlying and root causes.
- Reviews existing risk control measures.
- Identifies an action plan and implementation process.

Investigations into accidents, injuries and near misses can be done by management and members of the workforce. This includes supervisors, line managers, union safety reps, health and safety professionals, employee reps and senior management, partners or directors.

Whoever takes part in the investigation must possess a range of practical knowledge and experience, including a detailed knowledge of work activities, familiarity with good health and safety practices and an understanding of legal requirements.

Anyone involved in the incident, including line managers, supervisors and operators, should not investigate accidents if there is a potential conflict of interest or potential compromise to findings.

Investigations can be split into four levels:

- Minimal level investigations - these can be done by a supervisor who will determine the circumstances of the event and try to learn any lessons which will prevent future occurrences.
- Low level investigations - a short investigation by a supervisor or line manager into the circumstances and the immediate, underlying and root causes of the adverse event.
- Medium level investigations - a more detailed investigation by the supervisor or line manager, the health and safety adviser and employee representatives who will look for the immediate, underlying and root causes.
- High level investigations - a team-based investigation, involving supervisors or line managers, health and safety advisers and employee representatives, under the supervision of senior management or directors, who will look for the immediate, underlying and root causes.

No matter which level of investigation is being carried out, it's important that it involves an analysis of all the information available about the accident, injury or near miss. This includes:

- Information about the scene of the accident.
- Verbal accounts from witnesses.
- Any relevant documents, instructions or permits to work.
- Process drawings.
- Risk assessment findings.
- Any relevant procedural information.
- Information on job descriptions, and any training or guides given to the worker.

To complete an investigation, objectives based on the SMART acronym should be set. This means that the action plan needs to be Specific, Measurable, Achievable, Realistic and have a Timescale.

Feedback must be provided to all parties to ensure findings and recommendations are correct and address the issues. The people with the ability to make the changes happen should also be included as part of the action plan process.

Monitoring progress against the action plan, updating risk assessments and reviewing safe working procedures are also important, as is identifying any control measures that were missing or inadequate. This will help you to decide which additional measures are needed to address the issue and prevent it from happening again.

Exercise

When is the best time to carry out an investigation into an accident, injury or near miss?

- As soon as possible after the incident has occurred**
- At least 24 hours after the incident has occurred
- As soon as the person has recovered from the incident

Summary

In this module, you've learnt about when and how to report and investigate accidents, injuries and near misses.

If you employ ten or more people, then you are legally required to have an accident book and keep a record of all accidents, no matter how small, that occur in the workplace.

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) further require employers to officially report any work-related deaths and certain work-related injuries, diseases and dangerous occurrences (near misses).

If an accident, injury or near miss occurs, it's also important that you fully investigate the incident. This helps to prove that you take health and safety seriously, and ensures remedial actions are taken to prevent the incident from happening again.