



# **Accident Procedure Policy**

## The Westwood Academy

### Accident/Incident and Dangerous Occurrence Reporting and Investigation Procedure

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#### 1. Introduction:

Accident reporting and investigation is an important part of occupational health and safety management. Investigations allow the identification of unsafe practices and unsafe acts, which may need to be controlled in order to prevent a recurrence. In addition, accident information is required from a litigation point of view. It may be several years before a civil or criminal action is taken against an employee or the employer, and therefore an accurate record of the accident and any action taken as a result of the accident needs to be documented and kept on file.

Although the investigation of accidents is important, equally important is the notification, recording and investigation of near-miss incidents. Statistically, for every serious accident that occurs in the workplace, approximately 300 near misses occur. Gathering information about these is therefore extremely important in terms of controlling risk in the workplace.

There are two main items of legislation relating to accident and incident reporting and investigation. These are: The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013, and the Management of Health and Safety at Work Regulations 1999.

#### 2. Definitions

(i) An accident

The HSE define an accident as *any unplanned event that resulted in injury or ill health of people, or damage or loss to property, plant, materials or the environment or a loss of business opportunity.*

Example: A window cleaner dropping a bucket from a height, which caused injury to a person underneath, would be classed as an accident.

### **(ii) A near-miss incident**

A near-miss incident can be defined as, *any event, which under slightly different circumstances, may have resulted in injury or ill health of people, or damage or loss to property, plant, materials or the environment or a loss of business opportunity.*

Example: A window cleaner dropping a bucket from a height, which just missed a person standing underneath, would be classed as a near-miss incident. This incident did not cause an injury to a person but, under slightly different circumstances (the person standing nearer to the contact point) the person may have been injured.

### **(iii) Dangerous occurrence**

A dangerous occurrence can be defined as, any incident that has a high potential to cause death or serious injury and are listed in Appendix 2.

## **3. Procedure for Reporting Accidents/Incidents and Dangerous Occurrences**

The following procedure should be adopted:

### **3.1 Immediate action following an accident**

After injured persons have been treated as required, the area where the accident occurred should be made safe and any immediate danger removed (if safe to do so). If the accident is of a serious nature, the area involved may have to be cordoned off and access restricted until a full investigation has been carried out.

### **3.2 Reporting to Senior Management Team.**

For every accident that occurs at the school an Accident/Incident Report should be completed. Blank copies of the School Accident/Incident Report Form are in the Main Reception.

Depending upon the nature of the accident/incident, a member of SMT may carry out a full investigation.

### **3.3 Accidents/incidents which must be reported to the Health and Safety Executive**

The RIDDOR regulations require employers to report to the enforcing authority (HSE) in writing whenever one of the following events arises

If the accident involves one of the following, the HSE must be notified immediately by telephone or by accessing the HSE Incident Reporting Website.

*Must be reported by quickest practicable means (see below)*

1. The death of any person as a result of an accident, whether or not they are an employee.
2. Someone who is at work suffers a major injury as a result of an accident (major injuries are listed in appendix 1).
3. Someone who is not at work (e.g. a member of the public or student) suffers an injury as a result of an accident on SCHOOL Premises and is taken from the scene to a hospital. Further guidance on what to report for pupil accidents is included in Appendix 3.
4. One of a list of specified dangerous occurrences takes place,

*Must be reported in writing within 10 days*

- Someone at work is unable to do the full range of their normal duties for more than seven days as a result of an injury caused by an accident at work.
- The death of an employee if this occurs sometime after a reportable injury which led to that employee death, but not more than one year afterwards.
- A person at work suffers one of a number of specified diseases, provided that a doctor diagnoses the disease and the person job involves a specified work activity.

### **3.4 Methods of Reporting to the HSE**

All accidents/incidents/dangerous occurrences falling into the above categories must be reported to the HSE via their website within 10 days using the online form.

In addition to this requirement, the RIDDOR regulations require employers to notify the enforcing authority by the quickest practicable means (e.g. telephone) immediately if (1), (2), (3) or (4) occur.

The most senior member of staff present within the School/Department, should contact the HSE information line, on 0845 3009923, or by accessing their information reporting website.

The information requested by the HSE will include the following:

- Name and details of the person reporting the accident.

- Name and details of the organisation, i.e. the SCHOOL.
- Date, time and location of the accident.
- Details, if known, of the injured person/s.
- Type of injury sustained to the injured person/s.
- The type of accident or dangerous occurrence.

Please note that incidents reported by telephone must still be reported in writing within 10 days.

The local office of the HSE will be contacted by the HSE operator and a decision made whether or not to send an HSE inspector to investigate the accident.

Where the accident does not involve any of the events listed above, there is no need to inform the HSE.

### **3.5 Further reporting of accidents/incidents to the HSE**

Depending upon the outcome of the accident, further reporting to the HSE may be necessary. If this is the case, the Occupational Health and Safety Manager will ensure that such reporting is carried out.

## **4. Investigating Accidents, Near-Miss Incidents and Dangerous Occurrences**

Heads of School/Department will ensure that a suitable investigation is carried out and recorded on the Accident/Incident Investigation Report Form. The investigation should be carried out within 7 working days of the accident/incident. Any remedial action necessary should be implemented as appropriate.

The Accident/Incident Investigation Report should be held on file for a minimum period of five years.

## **5. Reporting of Cases of Disease**

Certain cases of diseases, which are linked to specified work activities, must be reported to the enforcing authority. Whenever an employee reports that they have been diagnosed as suffering from one of the diseases, they should be asked to seek written confirmation from their GP

(a GPs statement on a medical certificate will suffice).

On receipt of such confirmation, an SCHOOL Accident / Incident Report should be completed within 3 days of receiving confirmation and reported to the HSE using their online form.

For a list of reportable diseases please refer to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 guidance document.

## 6 Reporting Cases of Violence

The definition of an accident used in RIDDOR includes an act of non-consensual physical violence done to a person at work. This makes injuries to employees arising from such acts reportable if they fall into one of the following categories:

- a) The death of any person as a result of an accident involving non-consensual violence, whether or not they are an employee.
- b) Someone who is at work suffers a major injury as a result of an accident involving non-consensual violence (major injuries are listed in appendix 1).

Accidents arising from such actions of non-consensual physical violence are immediately notifiable to the HSE.

The term non-consensual is used to exclude injuries arising from situations where the injured person had agreed to the violent act, for example during a sporting event where a degree of risk is accepted.

Only physical injuries resulting from acts of violence suffered by people at work are included in the definition of accident. For example:

- An act of violence done to a member of the public by an employee or another member of the public would not be regarded as an accident and any resulting injury would not need to be reported to the HSE. However, such incidents should result in reporting internally using the school Accident / Incident Report.

## Appendix 1

### **Definition of Major Injuries**

- Fracture, other than to fingers, thumbs and toes;
- Amputation;
- dislocation of the shoulder, hip, knee or spine;
- loss of sight (temporary or permanent);
- chemical or hot metal burn to the eye or any penetrating injury to the eye;
- injury resulting from an electric shock or electrical burn leading to unconsciousness, or requiring resuscitation or admittance to hospital for more than 24 hours;
- any other injury leading to hypothermia, heat-induced illness or unconsciousness, or requiring resuscitation, or requiring admittance to hospital for more than 24 hours;
- unconsciousness caused by asphyxia or exposure to a harmful substance or biological agent;
- acute illness requiring medical treatment, or loss of consciousness arising from absorption of any substance by inhalation, ingestion or through the skin;
- acute illness requiring medical treatment where there is reason to believe that this resulted from exposure to a biological agent or its toxins or infected material

## Appendix 2

### Definition of a Dangerous Occurrence

- Collapse, overturning or failure of load-bearing parts of lifts and lifting equipment;
- explosion, collapse or bursting of any closed vessel or associated pipe work;
- 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;
- failure of industrial radiography or irradiation equipment to de-energise or return to its safe position after the intended exposure period;
- malfunction of breathing apparatus while in use or during testing immediately before use;
- failure or endangering of diving equipment, the trapping of a diver, an explosion near a diver, or an uncontrolled ascent;
- 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;
- unintended collision of a train with any vehicle;
- dangerous occurrence at a well (other than a water well);
- dangerous occurrence at a pipeline;
- failure of any load-bearing fairground equipment, or derailment or unintended collision of cars or trains;
- a road tanker carrying a dangerous substance overturns, suffers serious damage, catches fire or the substance is released;
- 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.

## **Appendix 3**

**Below is an extract from the HSE website giving guidance on reporting student incidents.**

**Do I need to report?**

**I report injuries to school pupils and college students. What category should I use on the reporting form under "Injured Person's Employment Status"?**

Students and pupils are not at work and therefore are regarded as members of the public (MOPs) for this part of the form. The exception is where a student / pupil, including children, are on a recognised training scheme or work experience. Under health and safety law they are regarded as employees. In these circumstances the employer or person in control of the work premises where the pupil or student was doing the training should report the injury as if they were one of their employees.

**Are accidents to pupils sustained in PE lessons reportable under RIDDOR?**

Yes, but only if the pupil is killed or taken to hospital for treatment of the injury and the accident arose out of or was connected to the school's or college's work. For example, the accident arose because of poor organisation or supervision arrangements, the equipment or the condition of the premises, e.g. a potholed tarmac surface.

**Are sporting injuries reportable?**

No, if the injury arose out of the normal participation of the activity. Injuries should be reported if they were due to defective equipment or failings in the organisation and management of an event.

**What if the pupil is taken to hospital as a precaution but the examination shows no injury?**

No. RIDDOR only requires injuries to be reported, if the medical advice is that the pupil was not injured in any way then there is no need to report this.

**Do I need to know what treatment was given by the hospital before I report an injury to a pupil?**

There is no requirement to check that treatment is actually administered by the hospital. If the school is later told that the hospital could find no injury, not even a minor cut or abrasion, then you do not have to make a report as the law only requires you report injuries in these circumstances.

The key thing to remember when determining whether to report an incident to a pupil or other people who are not at work is if the accident that resulted in the death or injury that must be reported, arose out of or was connected with the work activity.

**Some of our pupils have been hurt in a road traffic accident on the way to school in the school bus. Should I report their injuries?**

No. Deaths and injuries that result from the movement of a vehicle on a road do not have to be reported (see above section on road traffic accidents).

**A pupil has been injured while on a school trip abroad. Should I report this to HSE?**

No. HSE does not have jurisdiction when the pupil is outside the country so RIDDOR does not apply. A report may have to be made to another appropriate authority though. (For example the school may need to report the incident to other bodies such as the local safeguarding committee).