



Accident & Investigation Policy and Guidance

INTRODUCTION

Torbay Council is committed to providing an environment which is as healthy and as safe as possible for its staff, visitors and the residents of Torbay. However, accidents and incidents do happen and there is a statutory requirement to report all serious accidents, dangerous occurrences and instances of occupational ill health to the Health and Safety Executive (HSE).

The Council also has a duty to investigate and report all accidents to its Insurer. All accidents must be reported for monitoring and investigation, to ensure that procedures are in place to prevent, as far as possible, similar accidents happening.

To enable the Council to fulfil its obligations you should report accidents/incidents by telephone or fax to the Health and Safety Team within one working day - Tel: (20)7170. Fax: (20)7492.

When and How to Report

1. The Health and Safety Team must be contacted immediately by telephone or if this is not possible by fax within one working day to allow them the opportunity to attend and investigate the accident.
2. Immediate Line Managers are to be informed as soon as possible.
3. Details of all accidents and incidents must be recorded on the current Torbay Council Accident Occurrence Forms (see Appendix 1). First Aid or medical treatment must not be delayed in order to complete the paperwork.
4. Pads of blank Accident Occurrence Forms should be available at all Council premises. Responsible persons, legibly, in capitals, using black ink, should complete them. The forms are available from the Stationery Manager at the Town Hall, Tel. 7504.
5. The white copy of the Accident Form must be forwarded to the Health and Safety Team at the Town Hall within 5 working days. The pink copy should be given to the originator/injured person. The Heads of Section should keep the blue copy of the Report Form. **If the accident results in serious injury, or the injured person is taken to hospital, the Health and Safety Team must be notified immediately by telephone.**

N.B. Serious injury is any amputation, blinding, burns, loss of consciousness, electrocution, fracture, paralysis, poisoning.

In any case where an injured employee is absent from work for more than 3 days, exclusive of the day of the accident, the Health and Safety Team should be notified by telephone and the full details forwarded by the quickest practical means. i.e. fax.

6. The Health and Safety Team will carry out statutory notification of the accident to the HSE under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR). There is a statutory time limit on the reporting of accidents to the HSE and the Council or responsible person (Line Manager) could face prosecution if the report is not forwarded in time. Similarly, the Council's Insurers will be notified. A failure to notify promptly may also lead to withdrawal of insurance cover in relation to the incident.

What should be reported?

All accidents and incidents, whether or not injury or damage results should be reported in respect of all employees, volunteers, visitors, contractors, service users and members of the public affected by the Council's activities.

All road traffic accidents should be reported to the Transport Manager or Insurance Officer. Those, which result in the injury of an employee or member of the public, will require a full and thorough investigation and must also be reported to the Health and Safety Team.

Dangerous situations. (See advice from the Health and Safety Team) Tel. HELPLINE (20)7170.

Damage, i.e. an incident that has resulted in damage or destruction of property, vehicles or goods. Also speak to the Insurance officer as the damage may be covered by an insurance policy.

Near Miss, i.e. an incident which could have resulted in any of the above.

Ill health which could have been caused or aggravated by work.

Violent, Aggressive, or Threatening Behaviour (VATB) – Any incident, verbal or physical, in which a person is abused, threatened or assaulted, in circumstances related to their work for the Council.

Immediate Management Action Following a Serious or Fatal Accident

As defined in the procedures 1-6 on page 1.

Where the injuries received result in the death of an employee or member of the public, the following additional people should be notified:

- The Health and Safety Team if not previously notified.
- If an employee, their Director.
- The Chief Executive.
- The Police.
- The Public Relations Section (Strategic Services).
- The Council's Insurers.

Follow-up Action

Statements from witnesses to the accident and other relevant persons must be taken as soon as possible; if Health and Safety Officers are unavailable to attend immediately, by the Senior Manager present or persons nominated; by him/her while details are fresh in the witness's mind. (Refer to The Investigation)

The Health and Safety Team will carry out an on-site investigation in conjunction with other Council Officials as considered necessary. A report will be circulated to the appropriate Directors

and Chief Executive. A senior person from the Legal Section will also attend any subsequent inquest and/or legal proceedings.

Initial contact from the media must be referred to the Public Relations Section. If more detailed information is requested thereafter, no comments should be made without prior approval.

The Manager should, wherever possible, make him/herself available to visit the next of kin only after the prior approval of the Council's Health and Safety Team or the appropriate Director. He/she should advise them of the accident and give any assistance and support necessary.

Accident and Incident Investigation

Introduction

There are very good reasons for effective and thorough investigation, which include:

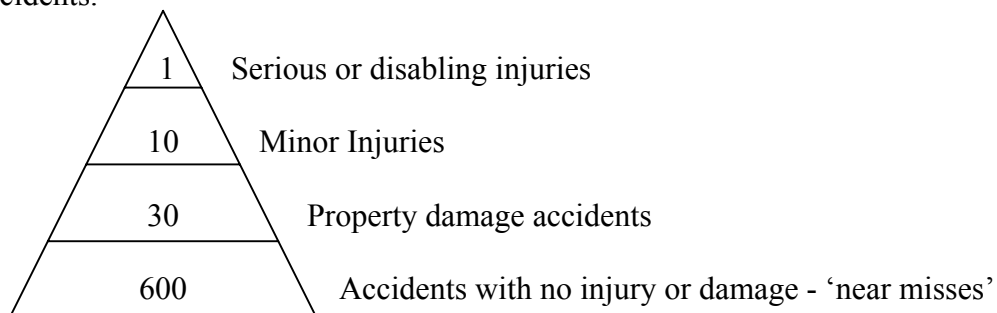
- Humanitarian
- Breach of Statute
- Report to Enforcement Authority
- Breach, failure or lack of procedure
- Damage to plant and equipment
- Loss of Working Time and Financial Impact
- Insurance Obligations

The purpose of investigation is to: -

- Establish the immediate cause
- What were contributory causes
- What corrective actions are necessary

Above all, the purpose is not to apportion blame or fault, though this may inevitably emerge from the investigation.

It should be borne in mind that the majority of accidents are of a minor nature, but if less serious accidents are ignored, then the likelihood exists that underlying trends are not detected until manifested as a major accident. The figure below shows a relationship between a major and other accidents.



Which Accidents should be Investigated

The Council procedure requires that all accidents be investigated. However, the depth of investigation will be influenced by the following factors: -

- the type of accident - fall from a height, chemical handling, machinery - including vehicles;
- the form and severity of the injury, or the potential for severe injury or damage;
- whether the accident indicates the continuation of a particular trend in accident experience;
- the extent or involvement of machinery, plant or dangerous substance;
- possibility of breach of law;
- whether accident is R.I.D.D.O.R. reportable;
- whether there are likely to be claims against insurance policies.

The Equipment

The following are considered as essential tools in the competent investigation of accidents: -
Torbay Council Accident Occurrence Report Form - to be used as a check list as routine prompt for basic questions.

- Witness statement sheets - see attached Appendix 2.
- Note book.
- Camera.
- Tape measure.

The Investigation

The quality of the investigation and the accuracy of the findings are dependent on the investigation commencing immediately after the accident. This is particularly true when it comes to interviewing witnesses and recording the conditions of the accident location.

The following procedure is recommended: -

- Preserve the site, including any plant or equipment involved but take any necessary steps to protect public safety, e.g. tape off area, use cones or marshals.
- Use the camera to take photographs of the accident scene.
- Draw a sketch with measurements so that scaled drawings of the scene can be produced later.
- Collect names of witnesses, to include all those who saw, heard, felt or smelt something related to the event.
- Interview witnesses separately - take full statements about what they have seen and heard, as soon as possible after the event. Include full name and address, telephone number and signature.

Note: - Care should be taken when interviewing casualties who have been hospitalised - you may need to seek medical approval.

- Establish the facts as quickly and completely as possible about: -
 - the general environment;
 - the particular plant, equipment or system of work involved;
 - the sequence of events leading to the accident.
- Clarify the facts where discrepancies occur.
- Verbal enquiries and correspondence received after the accident or incident from the person(s) involved, their family or representatives must be referred to the Health and Safety Team immediately. Failure to do so may prejudice the Council's insurance cover.
- Within 10 working days of the accident or incident all relevant documents should be referred to the Health and Safety Team. At a minimum these will be copies of:
 - Accident Occurrence Forms.
 - Maintenance and inspection records of location and equipment for 12 months prior to accident.
 - Risk Assessments carried out relevant to task/equipment/site for 12 months pre-accident.
 - Health and Safety records e.g. under the Control of Substances Hazardous to Health (COSHH) or Construction, Design and Management (CDM) Regulations.
 - Post-accident risk assessment.
 - Any document relevant to any material issues between the Council and the parties to the incident/accident e.g. contracts; works orders and correspondence pre-dating the accident.



Ref. No.

ACCIDENT / OCCURRENCE REPORT FORM

This form represents Statutory document BI 510. It is an offence to knowingly make false statements.

The Injured Person

| | |
|-------------------------------------------------------|----------------------------------------------------------------------|
| Surname: | Accident / Occurrence Date:/...../..... Time:.....:..... |
| Forename(s): | Occupation / Job title: (e.g. teacher, student, clerk etc.) |
| Date of birth:/...../..... approximate age..... | Directorate: Section: |
| Home address: | Work Address: |
| | |
| Post Code: Tel. No. | Post Code: Tel. No. |

| | | | |
|----------------------------------------------------|-----------------|------------------|-----------------------|
| Is the Injured Person an: (Tick as appropriate) | Employee | Member of Public | Contractor |
| | Pupil / Student | Client / Tenant | Other Specify..... |

Person Making the Report (if different from above)

| | |
|--------------------------------|----------------------------------------------------------------------|
| Surname: | Occupation / Job title: (e.g. teacher, student, clerk etc.) |
| Forename(s): | Directorate: |
| Work address: | Section: |
| | |
| Post Code: Tel. No. | Post Code: Tel. No. |

Occurrence Details

| | | | | | |
|------------------------------------------|-----|----|------------------------------------------------|-----|----|
| Was the occurrence witnessed? | Yes | No | Did the accident incur time off work? | Yes | No |
| Witness: Names, Addresses & Contact Nos. | | | If known, state how long (hours or days)?..... | | |
| 1..... | | | Was the incident reported to the HSE? | Yes | No |
| 2..... | | | If yes by whom?..... | | |
| 3..... | | | When?..... | | |

VATB

| | | | |
|-------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|--------------------------------|
| Did the accident / Occurrence involve Violent, Aggressive, or Threatening Behaviour? (If No, go to Page 2 section2 of this form) | Yes | No | |
| If Yes, Should the assailant be put on the awareness register? | Yes | No | |
| If Yes, must be countersigned by the line manager..... | | | |
| Was the assailant a:- (Tick as appropriate) | Council Employee | Member of Public | Visitor |
| Parent | Pupil | Student | Contractor |
| Client | Tenant | Intruder | Other..... (Please specify) |

Distribution: **White copy** to H&S team at Town Hall: **Pink Copy** to Originator/IP: **Blue Copy** held by Head of Section - **3Copies**

