

SHREC SHEET



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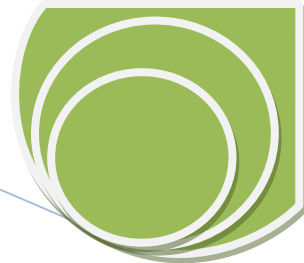
RIDDOR, ACCIDENT REPORTING, INVESTIGATION AND RECORDING

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INTRODUCTION

This fact sheet provides guidance on the steps clients should take in meeting their legal responsibilities if there is an accident or incident in the workplace.

The legal requirements for reporting accidents and incidents include: -

- UK Social Security regulations which require all injuries to employees to be recorded in an accident book.
- Health and Safety legislation, i.e. The Reporting of Injuries, Diseases and Dangerous Occurrence Regulations (RIDDOR) which requires certain accidents and incidents to be reported to health and safety enforcing authorities.

Any incidents which are not required to be reported under RIDDOR should be recorded under an organisation's internal recording procedure.

Following each accident or incident an investigation should be undertaken. Investigations are important as they may provide an indication of the failings of an organisation in controlling health and safety in the workplace. They allow for procedures or systems to be implemented, which should help prevent or minimise occurrence or recurrence of accidents or incidents.

Senior management should regularly and carefully scrutinise accident records and statistics to provide them with a good indication of how effectively health and safety is being managed within their organisation.

Additionally, accident records and statistics are often requested by insurers or potential clients as part of the completion of pre-qualification questionnaires or whilst tendering or bidding for work.

ACCIDENT BOOKS

Employees have a legal responsibility to inform their employers if they sustain an injury whilst at work. Following an accident, the accident book should be completed by the employee or, if necessary, by someone else acting on their behalf, e.g. a colleague, first-aider, health and safety representative, manager.

All injuries, no matter how small, should be recorded in an accident book. Organisations should actively encourage employees to report and record injuries as even a scratch can become serious if left untreated.

There should be at least one accident book for each organisation, although if an organisation has a number of premises it is preferable for each site to have its own so that it can be accessed, by anyone wishing to complete it, at all times. Injuries to staff sustained off-site or on third party property should be reported back to the staff member's employer and recorded in the employer's accident book. Although accident books are required for injuries to employees, it is permissible to enter details of accidents sustained by other persons whilst on the premises, including sub-contractors, visitors or members of the public.

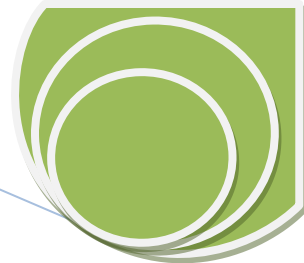
Completion of the accident record book

Employers should ensure that: -

- Details of the nominated member of staff who is responsible for the storage of the accident records, e.g. first aider, health and safety officer are written, on the inside cover of the accident book.
- The address and postcode of the premises to which the book relates are entered in the box on the inside front cover.

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- The accident book is readily available and its location is known to all employees.
- The accident is investigated and if there is a discrepancy as to what is recorded in the accident book note these in **section D**. These notes may be relevant in a possible employer's liability insurance claim.
- If the accident is reportable under RIDDOR (see below), report the accident following the procedure described below and ensure that **section F** of the accident book is completed.
- The book is retained for at least 3 years from the date of the last entry.

The nominated member of staff should ensure that: -

- The books are numbered in sequence on the front cover together with the date the book is first used.
- Each of the records is numbered, in sequence, on the page and page stub (**section A**).
- Completed records are stored securely.*

The injured person or the person completing the accident book on their behalf should: -

- Complete **sections B, C and D**.
- Place a brief comment regarding the type of injury on the page stub.
- Once complete, tear the page from the book and hand it to the named person responsible for safe storage of the accident form in accordance with the Data Protection Act.

The injured person should sign **Section E** to allow the safety representatives to complete their health and safety function.

*Accident books and the storage of information contained in them must comply with the Data Protection Act 1998. Personal details must not be seen by anyone who is not authorised to do so.

THE REPORTING OF INJURIES DISEASES AND DANGEROUS OCCURRENCES REGULATIONS (RIDDOR)

What type of accidents, incidents or diseases must legally be reported under RIDDOR?

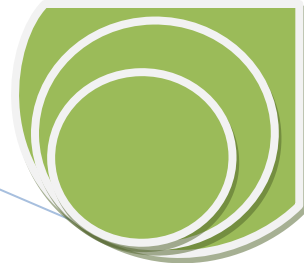
The 'responsible person', i.e. employer, self-employed person or a person in control of work premises has a legal duty under RIDDOR to report some work related accidents, incidents and diseases. These fall into the following categories: -

- Deaths.
- Specified injuries.
- 'Over seven day injuries'.
- Injuries to people not at work.
- Some work-related diseases.
- Dangerous occurrences.
- Gas incidents.

Examples of reportable accidents, incidents and diseases include (list is not exhaustive): -

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Deaths

All deaths that arise from a work activity or are connected with work, whether or not they involve someone actually at work, must be reported, i.e. except self-employed person on premises controlled by that self-employed person.

Specified injuries that are required to be reported include:-

- Any bone fracture diagnosed by a Registered Medical Practitioner (RMP), other than to finger, thumb or toe. Self-diagnosed suspected fractures are not reportable.
- Amputation of an arm, hand, finger, thumb, leg, foot or toe.
- Any injury diagnosed by a RMP as being likely to lead to permanent blinding 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 in the chest or abdomen
- Serious burns (including scalding) which:-
 - covers more than 10% of the body; or
 - causes significant damage to the eyes, respiratory system or other vital organs.
- Any scalping requiring hospital treatment.
- Any loss of consciousness caused by head injury or asphyxia*
- Any other injury arising from working in an enclosed space which:-
 - leads to hypothermia or heat-induced illness or
 - requires resuscitation or admittance to hospital for more than 24 hours

*Example of non-RIDDOR. An employee suffering an epileptic fit and who then went unconscious is not reportable under RIDDOR, the pre-existing medical condition lead to the employees unconsciousness state, not a work related injury.

Specified injuries also include those resulting from acts of non-consensual violence.

'Over seven day injuries to workers' are those which are not specified injuries but result from accidents to persons who are at work and where the injured person: -

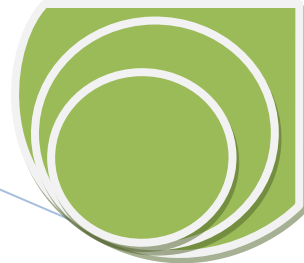
- Has been absent from and not fit for work for more than seven consecutive days or
- Has not been able to perform their normal range of duties for more than seven consecutive days following an accident (not counting the day of the accident).

In calculating the seven days, the day of the injury is not counted but weekends, public holidays, rest days and holidays are included. Therefore, it may be necessary to determine whether or not an injured employee would have been unable to carry out their routine work for more than seven consecutive days.

For example, an employee who works Monday to Friday is injured at work on Friday and unable to continue to work. If that employee is due to take a week's annual leave commencing on the following Saturday and returns to work a week the following Monday, essentially ten days after the accident, it might be necessary to ask the employee if they would have been fit for work after the seventh day of absence, had they been required to do so. It is irrelevant that the employee was on holiday. What is important is the number of days they would not

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have been fit to work or undertake their full range of duties. In this scenario, if the answer is NO the accident will be reportable as, effectively the employee would have been unfit to work for more than seven consecutive days. If the answer is YES then the accident will not be reportable.

Injuries to persons not at work are reportable if they are caused by accidents arising from a work activity or connected with work AND the injured is taken directly to hospital from the scene of the accident for treatment. For example, a visitor to a premise is injured after tripping and falling over an obstruction left lying in a walkway and is taken to hospital or a member of the public, visiting a factory, was overcome by the accidental release of any fumes from a process. Examinations and diagnostic tests do not constitute 'treatment' in such circumstances.

There is no need to report incidents where people are taken to hospital purely as a precaution when no injury is apparent.

Reportable work related diseases include: -

- Carpal Tunnel syndrome: where the person's work involves regular use of percussive or vibrating tools.
- Cramp of the hand or forearm: where the person's work involves prolonged periods of repetitive movement.
- Occupational dermatitis: where the person's work involves significant or regular exposure to a known sensitizer or irritant.
- Hand arm vibration syndrome: where the person's work involves regular use of percussive or vibrating tools, or holding materials subject to percussive processes or processes causing vibration.
- Occupational asthma: where the person's work involves significant or regular exposure to a known respirator sensitizer.
- Tendonitis or tenosynovitis in the hand or forearm, where the person's work is physically demanding and involves frequent, repetitive movements.
- Occupational cancers: where there is an established causal link between the type of cancer diagnosed, and the hazards to which the person has been exposed through work, e.g. mesothelioma or lung cancer where the person works with asbestos
- Any disease attributed to an occupational exposure to a biological agent, e.g. anthrax, legionella, bovine spongiform encephalopathy (BSE), zoonosis and severe acute respiratory syndrome (SARS).

A reportable disease must be diagnosed by a Doctor. Diagnosis includes identifying new symptoms, or any significant worsening of existing symptoms. For employees, they need to provide written diagnosis in writing to their employer. For self-employed people the Doctor's verbal diagnosis of a reportable disease is sufficient for it to require reporting to the enforcement authority.

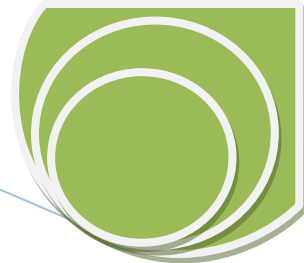
This only applies if their current job involves exposure to the associated hazard.

Dangerous occurrences are incidents that have the potential to cause injury or ill health. There are 27 dangerous occurrences which are relevant to most workplaces, e.g.: -

- Collapse, overturning or failure of load bearing parts on lifts or lifting equipment.
- Electrical short circuit or overload that has caused a fire or explosion.
- An explosion or fire that caused the suspension of normal work for more than 24 hours.
- Accidental release of any biological agent that may damage health.
- Collapse or partial collapse (including falling, buckling or overturning) of a scaffold over 5 metres high.

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- Failure of any closed vessel or any associated pipework where that failure could cause the death of any person.
- Unintended collapse of any building or structure under construction, alteration or demolition where over 5 tonnes of material falls or any floor or wall of any place of work.
- Any malfunction of breathing apparatus.
- Any sudden, unintentional and uncontrolled release of flammable liquids and gases.
- Any unintentional release or escape of any substance which could cause personal injury, e.g. asbestos.

A specific example of a reportable dangerous occurrence would be a piece of mobile plant such as a mobile crane overturning causing extensive damage to the crane with no one injured. The consequences of such an incident could have been a possible fatality of the operator or someone else.

Reportable flammable gas incidents and dangerous gas fittings

This is applicable to distributors, fitters, importers or suppliers of flammable gas that are informed of a fatality or that someone has lost consciousness, or been taken to hospital for treatment to an injury arising in connection with the gas that they have distributed, filled, imported or supplied.

Gas appliance installers registered with 'Gas Safe' who find gas appliances or fittings in a condition that could cause death or loss of consciousness or require hospital treatment', due to the design, construction, installation, modification or servicing of the gas appliance or fittings, must report the details under RIDDOR.

Specifically, the following would need to be observed in order for the incident to be reportable: -

- An accidental leakage of gas,
- Inadequate combustion of gas, or
- Inadequate removal of products of the combustion of gas.

What is meant by work related?

RIDDOR only requires you to report accidents if they happen 'out of or in connection with work'. The fact that there is an accident at work premises does not, in itself, mean that the accident is work-related – the work activity itself must contribute to the accident. An accident is 'work-related' if any of the following played a significant role:

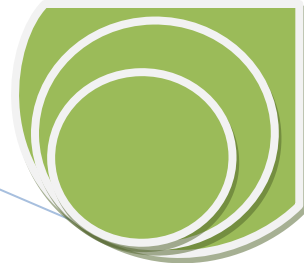
- the way the work was carried out
- any machinery, plant, substances or equipment used for work or
- the condition of the site or premises where the accident happened.

How to report accidents, incidents and diseases

The reporting of work-related injuries, incidents and diseases under RIDDOR is undertaken using the Health and Safety Executive's online system at <http://www.hse.gov.uk/riddor/report.htm>. Employers cannot report incidents by post, email or fax.

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The following online forms available include: -

- F2508IE Report of an injury (example attached at the end of this fact sheet).
- F2508DOE Report of a Dangerous Occurrence (example attached at the end of this fact sheet).
- F2508AE Report of a Case of Disease.
- OIR9BIE Report of an Injury Offshore.
- OIR9BDOE Report of a Dangerous Occurrence Offshore.
- F2508G1E Report of a Flammable Gas Incident.
- F2508G2E Report of a Dangerous Gas Fitting.

The F2508IE and OIR9BIE forms consist of tick boxes and drop down lists for selecting the kind of accident, type of injury, parts of the body affected, work process being undertaken, etc.

The online forms show question mark boxes in the top right corner and next to certain boxes and drop down boxes, which provide step by step advice on how to complete the form. All incidents can be reported online.

A telephone reporting service is available through the HSE's Incident Contact centre (ICC), however this is **only** for fatal and specified injuries. The contact number for the ICC is **0845 300 99 23** (between 8:30am and 5pm Mon – Fri).

An HSE duty officer can be contacted out of hours or during weekends on 0151 922 9235 if an accident or incident fits the following descriptions: -

- Following a work-related death.
- Following a serious incident where there have been multiple casualties.
- Following an incident which has caused major disruption such as evacuation of people, closure of roads, large numbers of people going to hospital etc.

Key Note: Prior to reporting, it is advisable to contact the SHREC Ltd helpline **07870 661649** to discuss the details of the accident/incident and the reporting procedures.

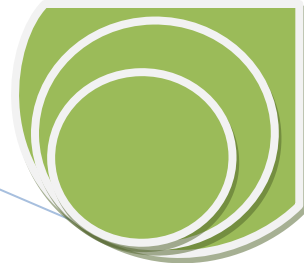
Although there is no legal requirement to notify insurance brokers of RIDDOR reportable accident/incident it is good practice to do so. In addition, it may also be a contractual requirement of any liability insurance cover to provide the relevant insurance company of any RIDDOR reportable accident/incident.

When to report (important)

- Reporting of fatalities and specified injuries need to be made as soon as possible using the online form (F2508IE 'Report of an injury') or by telephoning the ICC.
- Dangerous occurrences must be reported as soon as possible by using the online F2508DOE form ('Report of a Dangerous Occurrence').
- Where a report is completed by phoning the ICC, the responsible person must send a report of that incident to the enforcing authority within 10 days of the incident.
- Over seven day injuries must be reported within 15 days of the accident using the online F2508IE form ('Report of an injury').

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- Diseases are reportable once a doctor has informed an organisation that the employee has been diagnosed with a work-related disease. The online F2508AE form ('Report of a Case of Disease') should be used. NB. Some diseases may not be diagnosed until some future date, e.g. asbestosis may not be diagnosed for 30 years.
- Flammable gas incidents must be reported within 14 days of the incident using the F2508G1E online form ('Report of a Flammable Gas Incident').
- Reporting a dangerous gas fitting should be done as soon as possible to prevent a possible major injury using F2508G2E online form ('Report of a Dangerous Gas Fitting').

Who reports?

- Employers are responsible for reporting work related deaths, specified injuries and over seven day injuries or cases of disease applicable to their employees. This applies even if the employee is injured on a third party's site, e.g. if a sub-contractor is injured whilst working on another person's premises that sub-contractor's employer should report the injury.
- Persons in control of premises should report deaths, specified or over seven day injuries or cases of disease sustained by self-employed persons on their site. They should also report deaths or injuries sustained by members of the public, whilst on their premises, where they are taken directly to hospital from the premises for treatment. In addition, persons in control of premises should report any relevant dangerous occurrence that occurs on those premises.
- A self-employed person, or someone on their behalf, should report specified injuries or over seven day injuries or cases of disease if they incur on any premises they are in control of at the time of the incident.
- Relevant gas incidents must be reported by the gas supplier or gas fitter.

RIDDOR Records

Records of reportable injuries, diseases and dangerous occurrences must be kept for at least three years after the date of the incident.

ACCIDENT STATISTICS

It is beneficial for organisations to analyse and monitor any trends in accidents and incidents as this may help to identify and prioritise where health and safety management systems can be improved.

Frequently, organisations are asked to provide their accident statistics as part of a tendering, pre-qualifying, bidding process for work. Insurers and health and safety enforcers may also want to see evidence of an organisation's accident analysis.

There are many ways of calculating accident rates and the HSE suggest the following methods for calculating safety performance: -

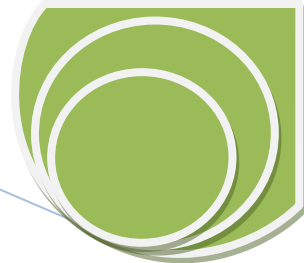
1. Annual injury incidence rate per 100,000 people is: -

$$\frac{\text{number of reportable (RIDDOR) injuries in financial year} \times 100,000}{\text{average number employed during year}}$$

This formula does not allow for any changes in part-time employment or overtime. These rates are used to compare national annual injury rates.

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2. Accident frequency rate per 1,000,000 hours worked is: -

$$\frac{\text{number of injuries in the period} \times 1,000,000}{\text{total hours worked during period}}$$

This calculation often provides a clearer picture and avoids misrepresentation of the incident rate (1.) above which can be caused by part and full time employees and overtime working.

ACCIDENT INVESTIGATION

Why undertake investigations?

Accident investigation helps to identify why accidents or incidents occur and can help to determine what improvements should be made to an organisation's management of health and safety. The investigation process should also identify where safer methods of work are required to minimise or eliminate the risk of an accident being repeated in the future. Workplace accidents can impact on a business in a number of ways, e.g.:

- Prosecutions or enforcement notices.
- Higher insurance premiums.
- Legal costs.
- Loss of staff.
- Increased staff costs (sick pay, temporary replacement).
- Loss of productivity/profit.
- Loss of business or reputation.
- Wasted management time dealing with enforcers, insurers or in recruiting, re-training etc

Which accidents need to be investigated?

Organisations should investigate all accidents and incidents, including those recorded in accident books, reported under RIDDOR and near misses. The level of investigation will depend on the complexity of the accident, severity of injury, level of risk, number of people involved etc

Who investigates and who is involved?

For non-serious accidents, supervisors will normally investigate the accident but for more complex accidents the investigation needs to be properly planned and organised by competent people. The process may include a number of key people such as, first aiders, witnesses, managers, safety representatives, investigation committees, insurers, enforcers, occupational therapists etc.

Enforcing Authorities may choose to investigate accidents, depending on how serious they are, if part of a HSE campaign or as a result of a complaint from an employee/other organisation.

Insurers may also wish to investigate accidents as part of employers' or public liability insurance claims.

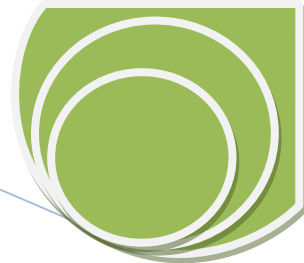
Cases of work related disease or ill health normally require the assistance of specialists. The Government run Employment Medical Advisory Service (EMAS) are useful advisors in this process. Details of local EMAS offices can be obtained from the HSE.

When is investigation undertaken?

Investigations should be conducted as soon as possible after the event in order to record information while details are still fresh in people's minds and whilst evidence is still available.

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How are investigations conducted?

Where possible, the scene of an accident should not be disturbed. Key people, including witnesses, should not be allowed to leave until permission is given. In certain serious accidents the Police or the HSE may be involved, resulting in site or part site closure.

The investigation should involve the gathering of information including, where relevant: -

- Details of activities that were being performed and the location of the accident/incident.
- Photos of where the accident/incident occurred and any equipment relating to the accident.
- Risk assessments and documented methods of working, including permits to work.
- Details of plant/equipment used and evidence of equipment service/maintenance/testing.
- Completed monitoring checklists.
- Signed witness statements.
- Training records/induction records.
- First aid and/or hospital treatment provided.
- Environmental conditions (e.g. weather, temperature, slippery floors).
- Requirements for personal protective equipment.
- Relevant health and safety legal requirements and guidance.

Whilst obtaining witness statements, facts and not people's opinions, need to be recorded. Care must be taken not to influence or lead witnesses whilst compiling their statements. Upon completion, the statements should be signed and dated by the witness.

Finding out why the accident or incident occurred

Once all the information is gathered how the cause of an accident or incident should be determined by the investigators. Causes of accidents could include one or many of the following: -

- Human factors, e.g. poor communications/supervision/co-operation/planning.
- Unsuitable risk assessments or methods of working.
- RIDDOR, accident reporting, investigation and records
- Insufficient competence or inefficient training.
- Unsuitable or poorly maintained equipment.
- Unsuitable working conditions.
- Poor housekeeping

If there is any doubt as to whether an accident or incident should be reported it is recommended that advice is sought from the SHREC Ltd helpline, available to all health and safety clients 24 hours a day, 365 days a year.

Upon arrangement a SHREC health and safety consultant may visit the premises or scene of an accident to help conduct a detailed accident investigation.

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