

HARLOW COUNCIL

Addendum to Health and Safety Policy

Accident Reporting

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Introduction

The Health and Safety at Work Act 1974 places specific duties on employers to ensure the health, safety, and welfare of employees as well as the health and safety of other persons who may be affected by their work activities.

Under the Management of Health and Safety at Work Regulations 1999 employers must assess significant risks to the health and safety of both employees and other persons who may be affected by their work activities.

The specific legislation that relates to accident reporting is the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995. (RIDDOR).

Failure to comply with the requirements of this policy is a disciplinary offence, which in serious cases could lead to dismissal.

General Statement

Accidents can be a traumatic event affecting not only the injured person but their family as well.

Accidents can also be a considerable drain on the resources of an organisation. Costs do not just relate to the time that might be lost through the individual being away from work but also include a great deal of administrative work and, in some cases, claims for compensation and fines following prosecution.

The Health and Safety Executive (HSE), estimate that the ancillary costs of some accidents can be up to 40 times the amount lost by an individual being off work through injury. In any event most accidents resulting in injury lead to lost working days, welfare issues and loss of productivity.

In order to minimise both suffering and costs there is a need to reduce the overall number of accidents, both minor and major, occurring within Harlow Council.

Part of this process is to record all accidents giving accurate details of where they occur, the causes, types of injury, and recommendations on what can be done to prevent the same accident recurring. This information can then be used to help develop the strategies for any training and work practices that will help reduce our accident rate.

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 also places legal responsibilities on employers to report certain accidents to their enforcing authority. For Harlow Council this is the Health and Safety Executive. (HSE).

Deaths, major injuries (see appendix A for a comprehensive list), and accidents which result in an employee being off work for more than 7 days, or unable to do their full range of duties, are all reportable.

Failure to report in accordance with the above regulations is a criminal offence and could result in the Council being prosecuted.

Forms

Reporting forms can be accessed via the Health and Safety section of the Kaonet.

There is an online form for members of the public reporting, (alternatively Contact Harlow can assist/complete on their behalf if required). Currently staff accidents/incidents are reported manually.

Summary

All employees must report accidents that occur whilst carrying out work on behalf of Harlow Council.

It is essential that all relevant information is reported and that details of the accident are recorded as soon as possible in accordance with the requirements of this policy.

Fully completed staff accident forms must be forwarded to the Health and Safety Team as soon as possible following an accident/incident. Members of the public can complete an online form directly from the internet or request assistance from Contact Harlow.

Remove any residual/remaining hazards that may pose a risk for other people in the area where the accident happened, (except where the accident results in a major injury, in which case the scene should be left undisturbed until it has been investigated or advised otherwise by the Insurance Team, Health and Safety Team or relevant Head of Service/Manager - ensure area is kept isolated as much as possible to prevent further incident).

Your Line Manager must be notified if you are away from work as a result of an accident. This will also apply if the period of absence occurs some time after the accident happened.

EMPLOYEE ACCIDENTS

REPORTING PROCEDURE

1. Harlow Council Incident Form

The accident part of Harlow Council's incident report form **must** be completed for all accidents. It is the responsibility of the injured persons Line Manager to ensure that all parts of the form have been fully completed, including the Line Managers report/investigation section. If the Line Managers report is not properly completed, including the risk assessment section, the form will be returned. (For further guidance see Addendum to Harlow Council Safety Policy on Risk Assessment).

Due consideration must also be given to the section on whether the accident is of a type that requires notification to the Health and Safety Executive (HSE). Completed forms must be submitted to the Health and Safety Team within 5 working days, (max 7 days if including weekends) of the incident.

2. Notification to the Health and Safety Executive

It is a legal requirement that the Health and Safety Executive are informed of all notifiable accidents. Death and life threatening injuries within 24 hours and all other reportable injuries, for example such as broken limbs, loss of an eye, are to be reported within 10 days. All accidents which result in injuries that cause over 7-day absence from the work place should be reported within this time up to 15 days. (See appendix A for more details).

To meet the requirements of informing the HSE of any major injuries within the 24-hour timescale the Health and Safety Office should be notified immediately by telephone (**extension 6499**) who will then forward all appropriate details to the HSE.

3. Investigation

All accidents must be investigated at a local level in order to identify causes and implement action to prevent a recurrence. As a minimum, in the case of minor and over 7 day accidents, the Line Manager's section on the Council's accident form if fully completed should be sufficient.

Depending on the seriousness of the incident there may also be a requirement to undertake a more formal internal investigation and, in some cases, the HSE might also decide to investigate a particular accident.

For further details see the Addendum to Harlow Council's Safety Policy on Accident Investigation.

ACCIDENTS TO MEMBERS OF THE PUBLIC

REPORTING PROCEDURE

1. Harlow Council Accident Form

A Harlow Council 'member of the public' accident form must be completed by the relevant officer and countersigned by his/her Supervisor/Manager, if in connection to their area of work. All parts of the form should be completed, including the sections relating to a description of what happened and what action has been taken to prevent a recurrence. Contact Harlow can also process these report forms and forward for action/referral to contractor, internal or external; i.e.: HTS / ECC.

Once notified of the accident, completed forms should be submitted to the Health and Safety Team. This will generally be received via the Achieve System, (an online reporting platform), which is immediate after report has been processed and logged. However, some off site, more remote areas, may report via the Accident/Incident paper form. i.e.; Parndon Wood Nature Reserve. This information will then be added to the Achieve System for reporting purposes and logging.

2. Notification to the Health and Safety Executive

It is a legal requirement that the Health and Safety Executive are informed of all notifiable accidents to members of the public, in premises or on land for which Harlow Council has a responsibility, that have occurred as a result of failings in Harlow Council work practices or responsibilities.

Notifiable accidents are death, and any injury that requires the person concerned to be taken immediately from the site of the accident to hospital for treatment. (See appendix B for more details). The Health & Safety Team will arrange for notification to the HSE.

3. Investigation

All accidents must be investigated at a local level in order to identify causes and implement action to prevent a recurrence. As a minimum, in the case of minor accidents, fully completing the section on the accident form/online, which describes how the accident occurred and what corrective action is being instigated, will be sufficient.

Depending on the seriousness of the incident there may also be a requirement to undertake a more formal internal investigation and, in some cases, the HSE might also decide to investigate a particular accident.

For further details see the Addendum to Harlow Council's Safety Policy on Accident Investigation.

APPENDIX A

DETAILS OF REPORTABLE EMPLOYEE ACCIDENTS (RIDDOR)

Major Injury (examples)

Types of reportable injury

The death of any person

All deaths to workers and non-workers, with the exception of suicides, must be reported if they arise from a work-related accident, including an act of physical violence to a worker. This will generally involve emergency services such as the police, ambulance or fire brigade, the HSE must be informed as soon as possible and in any event with 24 hours.

All incidents can be reported online but a telephone service is also provided for reporting **fatal and specified injuries only** - call the Incident Contact Centre on 0845 300 9923 (opening hours Monday to Friday 8.30 am to 5 pm)

Specified injuries to workers

The list of 'specified injuries' in RIDDOR 2013 replaces the previous list of 'major injuries' in RIDDOR 1995. Specified injuries are (regulation 4): These must be reported to the HSE as soon as practicable and in any event within 10 days.

- 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:
 - covers more than 10% of the body
 - 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
 - requires resuscitation or admittance to hospital for more than 24 hours

Over 7 Day Injury

An accident is reportable if a member of staff is away from work for more than 7 consecutive days (excluding the day of the accident) because of an injury, which has been caused by an accident arising out of or in connection with work.

This will also apply if the member of staff remains at work but is unable to undertake their normal duties.

The definition of an accident now includes acts of physical violence done to persons at work. Over 7 day injury accidents must be reported to the HSE as soon as practicable and in any event within 15 days.

Note 1

Previously the HSE was informed of all accidents resulting in sickness absence from the work place where absence was for more than 3 consecutive days. This period of absence increased to 7 consecutive days in 2012. So any absence less than 7 days is not reportable. There is however still a legal requirement to record such accidents.

Note 2

The timescales from the HSE for notification of reportable injuries and over 7 day absence accidents does not include the day the accident took place. Although best practice in any event is to inform the HSE as soon as possible in all cases of death and life threatening injury, (in any event within 24 hours), and as soon as practicable in all major injury cases and over 7 day absence accidents, (max time scales 10 days and 15 days).

APPENDIX B

DETAILS OF REPORTABLE ACCIDENTS (RIDDOR) MEMBERS OF THE PUBLIC

Serious and fatal accidents to non- workers (members of the public)

Any injury to a person not at work must be reported if it results from an accident arising out of or in connection with work activities, and requires them to be taken from a council owned building or council owned location directly to a hospital, and by whatever means (e.g. taxi, private car, or ambulance), for treatment in respect of that injury. A fatality is immediately reportable in any event.

If the land is council owned but with full public access, the fact a member of the public has become injured and went straight to hospital does not necessarily require a RIDDOR response to the HSE. If however that member of the public had become injured as a direct result of work taking place on that land and they are taken straight to hospital It remains reportable to the HSE.

The key to whether to inform the HSE of member of the public accidents will always be, firstly was there work being carried out at the time of the accident? Either on council owned premises or if on land owned by the council, at the time the accident?

Secondly, did they go directly to hospital? Generally if a person is injured in their home, this will not generate a RIDDOR response. If a person is on land owned by the council such as a highway, footpath, road, open area, park, sports field, public square, bridge, underpass, etc., open to the general public as a public thoroughfare, and has an accident, generally this will not result in a

RIDDOR response unless the accident can be directly attributed to council work taking place at that location.

Where members of the public are engaged in sport or other activity on council playing fields, injuries caused whilst engaged in a game of football, or where two children run into each other, a teenager falls off a swing, which results in an injury where they go directly to hospital this will not generate a RIDDOR response to the HSE.

Additionally there is a requirement to inform the HSE of dangerous occurrence's and of certain types of incident. For full guidance go to the HSE website - <http://www.hse.gov.uk>

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Revision History

Revision date	Previous revision date	Summary of Changes	Changes marked
	None	Original Draft document	
		Updates from Draft. Inserted Revision History. Logo changed	No
1/2014	None	Review and updated	No
April 2020		Revised and updated Replaced references to Infonet and changed to Kaonet Removal of references to forms, replaced with online Achieve System	No