## **LEGAL AND MANAGEMENT**



## **Accident reporting and investigation**

The reporting of certain types of accident is a legal requirement, and failure to comply is a criminal offence. The reports that are made allow the Health and Safety Executive to identify accident trends, and to take remedial action by producing additional health and safety guidance and legislation, where it is deemed necessary.

Accidents, even if they don't cause damage to equipment or structures or injury to people, should be thoroughly and accurately investigated. This allows the organisation to take appropriate action to prevent a recurrence, by implementing additional controls or modifying existing ones. A thorough investigation, proportionate to the seriousness of the accident, is a key element to making organisational improvements in health and safety performance.



Investigations allow an organisation to develop an understanding of how and why the issues occurred that caused the incident; provide them with a snapshot of how work is actually carried out in the workplace; and identify deficiencies in the current control measures.

It is essential that, following an investigation, lessons learned are communicated throughout relevant areas of the business, and with wider industry groups if appropriate. Changes to controls, systems, procedures, communications and so on should be implemented to ensure the continual improvement of health and safety.

## The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

These regulations require the reporting of certain types of work-related reportable incidents to the relevant enforcing authority. Every employer should nominate a responsible person, who will carry out the RIDDOR reporting requirements.

There are seven main types of reportable event.

- **Death** the death of a worker or non-worker must be reported if it is a the result of a work accident or an act of physical violence against the worker.
- Specified, reportable injuries to workers where a worker suffers one of the specified injuries listed in the regulations.
- Over-seven-day incapacitation of a worker where a worker is away from work or unable to perform their normal work
  duties for more than seven consecutive days.
- Non-fatal accidents to non-workers if they are injured through a work-related accident, and require hospital treatment.
- Occupational diseases diagnoses of certain occupational diseases and conditions.
- Dangerous occurrences -there are certain listed near-miss events that are relevant to all workplaces.
- Gas incidents these are reportable if, either directly or indirectly, someone has died, lost consciousness or been taken to hospital for treatment of an injury.

## **Conducting an investigation**

An effective investigation will meet the following criteria.

- Be factual and without bias.
- Clearly show the sequence of events leading to the accident or incident.
- Establish the immediate cause(s) and the underlying cause(s) (for example, unsafe acts or conditions).
- Identify the root cause(s) (for example, performance-influencing factors such as a lack of safety systems, poor work planning leading to workload pressures, or a poor health and safety culture). The root cause(s) must be identified, in order to learn lessons from accidents and incidents, and then take action to prevent re-occurrences.

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