

Stirling Council

# INCIDENT REPORTING POLICY (INCLUDING RIDDOR REQUIREMENTS)

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# 1. Introduction

This Policy is to assist Stirling Council employees comply with legislation and Council reporting requirements. We have an obligation to report and investigate **ALL WORK RELATED** Accidents, Incidents and Near Misses; This obligation is directed by the Stirling Council Health & Safety Policy which is, in turn, directed by the Health & Safety at Work Act 1974 (HASWA).

Collectively, Accidents, Incidents and Near Misses may be referred to as an event in this policy.

Reporting is required in two categories; Internal and External. All reporting is initially internal (Council) but may result in external reporting to relevant regulatory bodies e.g. Health & Safety Executive (HSE), Scottish Environmental Protection Agency (SEPA), and Care Inspectorate etc.

External reporting is generally guided by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) and this policy provides guidance on the requirements.

## 2. Need for Reporting

**Section (2) of the HASWA** places specific duties on employers to provide a safe working environment for employees. In order to meet these duties there is a need to report and investigate all Incidents, Accidents and Near Misses. Consequentially, robust actions can be determined to prevent re-occurrence

## 3. Responsibilities within this Policy

The Chief Executive has ultimate responsibility for ensuring that the Health & Safety Management Framework is implemented, maintained at an organisational level and remains fully compliant with Health and Safety at Work Act 1974 and all other applicable legislation. The Depute Chief Executive and all Senior Managers will support the Chief Executive in carrying out this duty in their areas. Whilst the tasks to ensure this may be delegated, the responsibility for ensuring they are carried out is not delegated.

Management must ensure they appoint responsible persons to ensure the requirements of this Policy are achieved.

All employees, contractors and visitors will be expected to co-operate in the implementation of the Council's Incident Reporting Policy and act with due care for their own safety and that of others.

## 4. Internal Reporting

All witnesses to an event must ensure that they report it to their line manager as soon as practicable - after any injured persons have been safely removed from the site and the site made safe. The line manager shall, in turn, ensure that the Council Incident Reporting Form is completed and returned to Corporate H&S within the relevant reporting guidelines (table below). The investigation section need not be completed for event s requiring detailed investigation. This decision will be taken on advice from Corporate H&S by the line manager.

If a major injury or high potential event occurs the site responsible person must take the relevant actions to secure the site and collect relevant records of maintenance etc.; as the event may well need further investigation by the Council or other Authorities. This is in order to preserve evidence. If the site has to be altered for safety reasons then this must be recorded. Before any non-immediate actions are taken photographs should be taken of the site and relevant items.

Personnel witnessing, at the event or managing the reporting process can contact Corporate H&S for advice and not wait for the report form to be completed before informing the Corporate H&S team.

The services are responsible for informing their Senior Managers of any incident who, in turn must keep the Chief and Depute Executives informed of major event s.

**Note:** Council employees on secondment (i.e. Integrated Joint Board (IJB)) must report to the site management all incidents on the sites documentation and then make a report to their line manager with a copy of the original report. The line manager shall forward this to Corporate H&S Team.

Table 1 – Reporting guide and timelines

Type of Event	Reporting Method	Reporting Deadline after Event	Actions
Fatality	<b>Telephone/Oral</b> to Police Scotland, HSE, Corporate Health & Safety and Service Manager, in first instance, and follow up with <b>Email</b> to Corporate Health & Safety	Immediately, as soon as practicable after site is made safe <b>AND</b> secure for investigation	<b>Once site is made safe, complete H&amp;S Incident Report Form and email/deliver to Corporate H&amp;S– Undertake Accident Investigation Raise RIDDOR Report</b>
Major Injury or Loss Reportable event s as defined in <b>RIDDOR</b>	<b>Telephone/Oral</b> HSE, Corporate Health & Safety and Service Manager, in first instance, and follow up with <b>Email</b> to Corporate Health & Safety	As soon as practicable after site is made safe. Email within <b>12hrs</b>	<b>Complete H&amp;S Incident Report Form and email/deliver to Corporate H&amp;S– Undertake Accident Investigation Raise RIDDOR Report</b>
Minor Injury or Loss	Complete Corporate Incident Form inform supervisor/Team Lead and email/deliver to Corporate Health & Safety Team	Within 5 Days	Line Manager to Undertake Accident Investigation
Injury Leading to >7 consecutive days Absence	Complete Corporate Incident Form and email/deliver to Corporate H&S Team	As soon as over 7 days is identified. <b>DO not wait for the 7<sup>th</sup> day to report to Corporate H&amp;S</b>	<b>Line Management to undertake Accident Investigation assisted by Corporate H&amp;S Team</b> Corporate H&S Team to Raise RIDDOR Report <b>Return to Work report completed by Line Manager.</b>
Near Miss (no injury or loss - but could have resulted in)	Complete Near Miss Card/Education Incident Form, inform line manager and email/deliver to Corporate H&S Team	Within 5 Days	Corporate H&S arrange Incident Investigation
<b>Other Incidents</b> (e.g. Verbally Abused)	Inform Line Manager. Complete Corporate Incident Form and email to H&S Team	Within 5 Days	Line Manager to undertake Incident Investigation
Dangerous Occurrence	<b>Inform Line Manager.</b> <b>Telephone and Email</b> Health & Safety Team	Telephone Immediately, as practicable, and email within <b>12 Hours</b>	<b>Complete H&amp;S Incident Report Form and email/deliver to Corporate H&amp;S Team</b> Corporate H&S Team Undertake Accident Investigation <b>Raise RIDDOR Report</b>

## 5. External Reporting

### 5.1. Incident Reporting at Work

As employees we have an employment obligation to report all occurrences to the Council as directed in Sections 1-4 of this policy. There is a further, Legal, requirement to report certain incidents/accidents and dangerous occurrences to the HSE.

The Health and Safety Incident Report Form (available on the Council Intranet and SharePoint) must be completed by the person reporting the event. As required a blank Health and Safety Incident Report Form should be printed and issued to employees who do not have access to a computer.

The Health and Safety Incident Report Form is used to gather all the relevant information required to enable the Corporate H&S Team to produce monthly health and safety data for each Service Management Team and provide quarterly accident/incident statistics to the Health & Safety Panel and Council Management Team.

The information held on the Health and Safety Incident Form enables Corporate H&S Team to report all reportable accidents and dangerous occurrences to the Health and safety Executive within the statutory time scale. This is to meet the requirements of The Reporting of Injuries, Diseases and Dangerous Occurrences (Amendment) Regulations 1995 (RIDDOR).

Completed forms are to be submitted to the Corporate Health & Safety Team, within the timelines at Table 1.

## 6. The Reporting of Injuries, Diseases and Dangerous Occurrences (Amendment) Regulations 1995 (RIDDOR)

The Reporting of Injuries, Diseases and Dangerous Occurrences (Amendment) Regulations 1995 (RIDDOR) apply a single set of reporting requirements to all work related activities. The main purpose of RIDDOR reporting is to generate reports to the Health and Safety Executive (HSE) and Local Authorities commonly known as the enforcing authorities.

The reports alert the enforcing authorities to individual incidents. They also provide data, which is used to indicate where and how risks arise and to show up trends. This enables enforcing authorities to target their activities effectively and to advise employers on strategies to help prevent injuries, ill health and accidental loss.

### 6.1. What is Reportable?

Reportable injuries (including deaths) do not have to be automatically reported, but **must be reported if they occur as a result of a work related accident**. For the purposes of RIDDOR, an accident is a separate, identifiable, unintended incident that causes physical injury or loss. This specifically includes acts of non-consensual violence to people at work.

When deciding if the accident that led to the death or injury is work related, the key issues to consider are whether the accident was related to:

- The way in which the work was carried out **OR** supervised
- Any machinery, plant, substances or equipment used for work
- The condition of the site or premises where the accident happened.

If none of the above factors are satisfied, it is likely the incident is not RIDDOR reportable.

### 6.2. Deaths

All deaths to workers and non-workers must be reported if they arise from a work-related accident, including an act of physical violence to a worker. Suicides are not reportable, as the death does not result from a work-related accident.

If a fatality occurs to an employee, contractor or a member of the public on Council Managed facilities then you must notify Police Scotland, HSE, Corporate Health and Safety Team and Senior Managers without delay – as soon as the site is made safe.

### 6.3. Injuries to non-workers

The Corporate Health & Safety Team will complete and send the RIDDOR report of injuries to members of the public or people who are not at work if they are injured through a work related accident, and are taken from the scene of the accident to hospital for treatment of an injury.

Note: Examinations and diagnostic tests do not constitute “treatment” in such circumstances.

Work-related accidents involving members of the public or people who are not at work must be reported if a person is injured, and is taken from the scene of the accident to hospital for treatment to that injury.

There is no requirement to establish what hospital treatment was actually provided, and no need to report incidents where people are taken to hospital purely as a precaution when no injury is apparent.

If the accident occurred at a hospital, the report only needs to be made if the injury is a 'specified injury' (see 6.1.3 above). The responsibility of reporting lies with the Hospital management and not the Council.

In the case of pupils and children in nurseries who have been taken directly to hospital by any means there must be an internal report made to the Corporate H&S Team who will complete a RIDDOR report to the HSE.

#### **6.4. Specified Injuries**

If a Specified Injury occurs to an employee, or self-employed person working on the premises, or a member of the public suffers an injury and is taken to hospital from the site you must notify the Corporate Health and Safety team without delay.

##### **6.4.1. Reportable Specified Injuries include:**

- Fracture, other than to fingers, thumbs and toes.
- Amputation of an arm, hand, finger, thumb, leg, foot or toe.
- Permanent loss of sight or reduction of sight
- Crush injuries leading to permanent organ damage
- Serious burns (covering more than 10% of the body, or damaging the eyes, respiratory system or other vital organs
- Scalping (separation of the skin from the head) which require hospital treatment
- Any other injury arising from working in an enclosed space, which leads to hypothermia, heat-induced illness or require resuscitation or admittance to hospital for more than 24 hours

#### **6.5. Reportable Over 7 Day Injuries**

If there is an work related occurrence (including an act of physical violence) to an employee, or a self-employed person working on our premises, results in a 7 day, or more, absence you must report the details to the Corporate H&S Team on the Health and Safety Incident Report Form as soon as it becomes apparent – do not wait 7 days.

The Corporate Health & Safety Team will report details of all over 7-day injuries within the specified time to the Health and Safety Executive.

An over 7 Day injury is one which may not be a Major injury but results in the injured person being away from work or unable to do their full range of normal duties for more than 7 days (this does not include the day of the injury).

#### **6.6. Reportable Diseases**

If a Medical Professional diagnoses a reportable work related disease then the employee must notify their Manager or a member of the Human Resources of the reportable work-related disease. It must also be reported to the Corporate Health & Safety Team so that the details can be reported to the Health and Safety Executive.

#### **6.6.1. Reportable Diseases Include:**

- Carpel tunnel Syndrome
- Severe cramp of the hand or forearm
- Occupational Dermatitis
- Hand-arm Vibration Syndrome
- Occupational asthma
- Tendonitis or tenosynovitis of the hand or forearm
- Any occupational cancer
- Any disease attributed to an occupational exposure to a biological agent

#### **6.7. Reportable Dangerous Occurrences (Near Misses)**

If something happens which does not result in a reportable injury, but which clearly could have done then you must notify the Corporate Health and Safety team without delay so that details can be reported to the Health and Safety Executive.

**Note:** Near miss in this case is an HSE term and does not align to near miss reporting in Sections 1 to 4.

#### **6.8. Reportable Dangerous Occurrences are:**

- 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.
- Malfunction of breathing apparatus while in use or during testing immediately before use.
- 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.
- 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.
- 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 5 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 event at a well (other than a water well).
- Dangerous event 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.
- Unintended collapse of any building or structure under construction, alteration or demolition where over 5 tons of materials falls including floors or false work.
- Explosion or fire causing suspension of 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 500 kg of these substances if released into the open air.
- Accidental release of any substance, which may damage health.

## 6.9. Reportable Gas Incidents

Installers of gas appliances registered with the Gas Safe Register, must provide details of any gas appliances or fittings that are considered to be dangerous, to such an extent that people could die or suffer a major injury because the design, construction, installation, modification or servicing could result in;

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

Housing Property Maintenance will have the responsibility of reporting to the Health and Safety Executive any reportable incidents arising out of their activities involving gas appliances and fittings. (Housing stock). They must also send a copy of the report to the Health & Safety Team.

## 6.10. Reporting out of hours

It is the responsibility of the Service Line Management in control of the works/task to report out of hours – both to RIDDOR and the Corporate H&S Team.

The Health and Safety Executive has an out-of-hours duty officer in case an incident occurs at weekends. There are circumstances where the Health and Safety Executive may need to respond out of hours, these include:

- 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.

If your incident fits these descriptions ring the duty officer on 0151 922 9235.

All incidents can be reported online but a telephone service is also provided for reporting fatal/specified, and major incidents only - call the Incident Contact Centre on 0345 300 9923 (opening hours Monday to Friday 8.30 am to 5 pm).

Note: The HSE and local authority enforcement officers **are not an emergency service**.

More information on when, and how, to report very serious or dangerous incidents, can be found by visiting the HSE [ways to contact HSE webpage](#). If you want to report less serious incidents out of normal working hours, you can always complete an online form.

## 6.11. Reporting Deadline Requirements

All accidents must be reported to the Corporate Operations Health and safety section on the Council's Health and Safety Incident Report Form that can be found on Stirling Council's Intranet Site and SharePoint.

All Reportable gas incidents involving gas appliances and/or fittings must be reported to the Health and Safety Executive (HSE) by Housing Property Maintenance.

## 7. Retention of Records

Record keeping provides detailed evidence of employee training and a history of any incidents or assessments that has occurred in relation to each specific premise or activity.

The Health and Safety Executive are the enforcing authority where Health and safety procedures are concerned and **will want** access to records on their inspection of Council premises.



Table 2 –Record retention requirements.

7.1.1. Document	7.1.2. Where Held	7.1.3. How Long For
Stirling Council's Health and Safety Incident Report Form	The Corporate Health and Safety Section and the Line Manager	<b>3 Years</b> by the Line Manager and <b>5 Years</b> by the Corporate Health & Safety Section
F2508G2 for reportable faults involving gas appliances and fittings.	Alan Water House, Housing Property Maintenance	<b>7.1.4. 3 Years</b>

## 8. Associated Health & Safety Legislation and Information

- Health and Safety at Work etc. Act **1974**
- Health and Safety Executive <http://www.hse.gov.uk/>
- [Health and Safety Incident Report Form](#)

## 9. Document Review

This policy and any revision of it is to be brought to the attention of every Council employee by their line managers and recorded in a suitable manner by the line manager for retrieval, if required, later.

The contents of documents produced under this policy and other relevant Health & Safety Regulations, Codes of Practice and general guidance will be available for all employees to view on the Council Intranet and SharePoint.

This policy and any documentation produced under it will be added to or modified as required and will be reviewed annually.

Any changes to this Policy will be reviewed by the Councils Management Team prior to publication.