

# Accident/Incident Investigation & Recording Policy



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## 2 Aims

Our Lady of Walsingham Catholic Multi Academy Trust (the Trust) recognises the importance of accident and incident recording and investigation. It is a legal and moral responsibility ensuring that all incidents, near misses and accidents are exhaustively investigated and findings recorded, so that the root causes are identified and lessons learnt.

## 3 Legislation and guidance

This policy is based on the following legislation:

- [The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations \(RIDDOR\) 2013](#)
- [The management of Health and Safety at Work Regulations 1999](#)
- [Social Security \(Claims and Payments\) Regulations 1979](#)
- [Childcare Act 2006](#)
- [The Childcare Regulations 2008](#)
- Guidance from Ofsted, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/789620/Early\\_Years\\_Compliance\\_Handbook\\_260319.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/789620/Early_Years_Compliance_Handbook_260319.pdf)
- Guidance from the Health and Safety Executive, <http://www.hse.gov.uk/pubns/edis1.pdf>
- Guidance from The Key for Academy Leaders, <https://Academyleaders.thekeysupport.com>

## 4 Roles and responsibilities

### 4.1 *The Trust Executive*

- Investigate any major accident
- Receive regular reports from each Academy
- Assist during the investigation of accidents and incidents if requested from the Academies
- Provide yearly reports to the Board of Directors

### 4.2 *The Local governing body*

- Inspect the children accident report book during LGB meetings or as needed
- Assist the Headteacher in investigating accidents
- Discuss any trends in accident/incidents during termly meetings and possible remedial actions

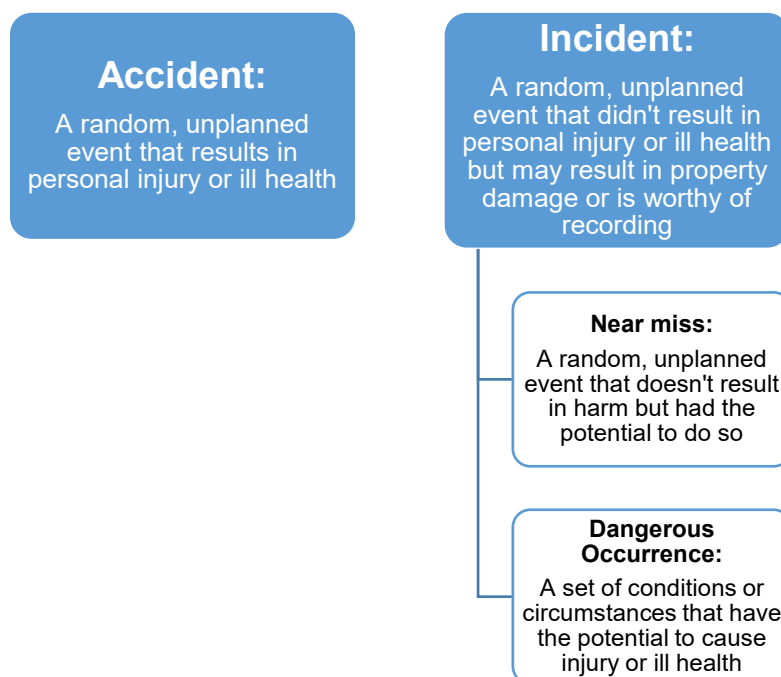
### 4.3 The Headteacher / Head of School

- Investigate any accident and incident involving pupils, staff and members of the public, either directly or by delegation
- Investigate any RIDDOR accident and incident personally
- Report any dangerous occurrence under RIDDOR regulations

### 4.4 Staff

- Record any accident involving pupils that are under their supervision
- Record any near miss involving themselves to the relevant person
- Record any accident involving themselves to the relevant person
- Report anything that could be considered dangerous to the relevant person
- Inform the Academy of any injury resulting from work activities
- Cooperate in any accident/incident investigation

## 5 What are accidents/incidents/near misses?



## 6 Reporting and record-keeping

As a minimum, every Academy in the Trust should have:

- An “Accident book” for pupils, staff and others, where every accident, incident, near miss and dangerous occurrence is recorded
- A responsible person for RIDDOR reporting to the HSE; this is usually the Headteacher
- First Aid arrangements to provide basic first aid when needed
- Regular (annual) reminder sessions for all staff to provide the necessary knowledge to carry out the notification procedures properly
- Use of standard Accident/incident investigation form for pupils, staff and others

- An “Accidents Investigation Team” (AIT) to carry out the investigative duties

Assault (physical and verbal) should be reported as soon as possible and is classified as an ‘incident’ (if no injury occurred).

The accident/incident form should be completed by the relevant person, either the affected or a delegated person, by providing as much detail as possible; this should be done as soon as is practicable, or on the same day if following an injury.

It is the responsibility of the injured/affected person to inform the Academy of anything relevant following an accident (hospitalisation, prescribed medication, doctor visit etc); please inform the relevant person in the Academy as soon as you are able to. Records held in the pupil’s accident book will be held for a minimum of 3 years. Records held in the accident books will be retained by the Academy for a minimum of 3 years, in accordance with regulation 25 of the Social Security (Claims and Payments) Regulations 1979.

Records involving asbestos must be kept for 40 years, in accordance with the Control of Asbestos Regulations 2012.

The following are examples of what should be recorded and investigated:

- A parent verbally abusing a member of staff (incident)
- Threatening behavior from contractors working on Academy premises (incident)
- A piece of furniture falling down in a classroom but not hurting anyone (near miss)
- Member of the kitchen staff falling over a bench left in the Academy hall, bruised leg (accident)
- A contractor drilling into an asbestos panel (incident, RIDDOR)
- A pupil falling from some gym equipment, bump and bruises on shoulder (accident, work related activity)
- A pupil playing with outdoor equipment, cuts from an exposed nail (accident, equipment related)
- Member of staff tripping over a wet patch on the floor (accident)
- A stranger shouting abuse to an Academy caretaker when he is taking the rubbish out (incident)

## **7 Reporting to enforcing authorities**

There are particular injuries and dangerous occurrences that have to be reported to the enforcing authorities; in Academy settings these are the HSE (RIDDOR) and additionally for early year settings, Ofsted. It is important to bear in mind that these are for matters which arise out of or in connection with work.

### **7.1 RIDDOR reporting**

RIDDOR reporting can be divided into 2 categories: people at work (employees) or someone not at work (pupils, members of the public).

The Headteacher will keep a record of any accident, which results in a reportable injury, disease, or dangerous occurrence as defined in the RIDDOR 2013 legislation (regulations 4, 5, 6 and 7).

## **7.2 RIDDOR REPORTING FOR PEOPLE AT WORK (Staff):**

The Headteacher will report these to the Health and Safety Executive as soon as is reasonably practicable and in any event within 10 days of the incident.

To be reportable, an injury must have resulted from an 'accident' arising out of or in connection with work that results in;

- Death
- Specified injuries, which are:
  - 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)
  - 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
- Injuries where an employee is away from work or unable to perform their normal work duties for more than 7 consecutive days (not including the day of the incident)

The Headteacher must report occupational diseases when they receive a written diagnosis from a doctor that the employee has a reportable disease linked to occupational exposure.

These include:

- carpal tunnel syndrome
- severe cramp of the hand or forearm
- occupational dermatitis, e.g. from work involving strong acids or alkalis, including domestic bleach
- hand-arm vibration syndrome
- occupational asthma, eg from wood dust and soldering using rosin flux
- tendonitis or tenosynovitis of the hand or forearm
- any occupational cancer
- any disease attributed to an occupational exposure to a biological agent

Work-related stress and stress-related illnesses are not reportable under RIDDOR.

### **7.3 RIDDOR REPORTING FOR PEOPLE NOT AT WORK (Pupils and visitors)**

The Headteacher will report these to the Health and Safety Executive as soon as is reasonably practicable and in any event within 10 days of the incident.

Incidents involving contractors working on school premises are normally reportable by their employers.

Reportable injuries, diseases or dangerous occurrences include:

- the death of the person, and arose out of or in connection with a work activity
- an injury that arose out of or in connection with a work activity **and** the person is taken directly from the scene of the accident to hospital for treatment (examinations and diagnostic tests do not constitute treatment).

In order to decide whether the injury arose out of or in connection with a work activity, consider whether the injury was caused by

- a failure in the way a work activity was organized (e.g. inadequate supervision of a field trip)
- the way equipment or substances were used (e.g. lifts/machinery/experiments etc.)
- the condition of the premises (e.g. poorly maintained or slippery floors)

So for sports and playground injuries, if an injury arises because of the normal rough and tumble of a game, the accident and resulting injury would not be reportable.

### **7.4 Dangerous Occurrences:**

Near-miss events that do not result in an injury, but could have done. Examples of near-miss events relevant to Academics include, but are not limited to:

- The collapse or failure of load-bearing parts of lifts and lifting equipment
- The accidental release of a biological agent likely to cause severe human illness
- The accidental release or escape of any substance that may cause a serious injury or damage to health
- An electrical short circuit or overload causing a fire or explosion

Information on how to make a RIDDOR report is available here: <http://www.hse.gov.uk/riddor/report.htm>

### **7.5 Reporting to Ofsted and child protection agencies (EYFS)**

The Headteacher will notify Ofsted of any serious accident, illness or injury to, or death of, a pupil while in the Academy's care. This will happen as soon as is reasonably practicable, and no later than 14 days after the incident. The "Early Years Compliance Handbook" have an exhaustive description of what is considered reportable, and it includes:

- Death
- Fracture/ Broken Bones
- Loss of consciousness

- Pain that's not relieved by simple painkillers
- Acute confused state
- Breathing difficulties or persistent, severe chest pain
- Amputation
- Major dislocation of the shoulder, hip, knee, elbow or spine
- Temporary or permanent loss of sight
- Eye injury from chemical or hot metal burns
- Injury from electric shock, electrical burn or hypothermia resulting in unconsciousness, or requiring resuscitation or hospitalisation for more than 24 hours
- Unconsciousness due to asphyxia or exposure to harmful substances, toxins, infected material or biological agents
- Unconsciousness or medical treatment received as a result of inhaling, ingesting or absorbing harmful substances through the skin

The Headteacher will also notify the local authority of any serious accident or injury to, or the death of, a pupil while in the Academy's care.

Information on how to make a report to Ofsted is available here:

[https://ofstedonline.ofsted.gov.uk/ofsted/Ofsted\\_Early\\_Years\\_Notification.ofml](https://ofstedonline.ofsted.gov.uk/ofsted/Ofsted_Early_Years_Notification.ofml)

## **8 Notifying parents**

The Academy (usually admin office or Headteacher) inform parents of any accident or injury sustained by a pupil, and any first aid treatment given, on the same day, or as soon as reasonably practicable.

Individual Academics might have different arrangements in place for communicating with parents; if this is the case, those will be adopted.

## **9 Investigating accidents/incidents/near misses**

Any accident, incident and near miss should be investigated by the 'investigation team' as soon as possible by using the approved form.

The Headteacher will agree on a time to start gathering evidence and produce a report, by using the approved investigation form; the Trust can assist during the investigation process.

If the investigation led to the discovery of a management failure, this will have to be reported to the Trust; the Trust will then carry out further investigation to be able to rectify the management issue.

Typical management failures could be, but not limited to:

- Insufficient risk assessment
- Lack of a safe system of work
- Insufficient training



- Lack of monitoring
- Lack of supervision
- Insufficient communication
- No maintenance regime in place

## **10 Reporting to the Trust Board**

A report on RIDDOR incidents will be provided to each Board meeting (generally three per year).

A report will be prepared annually (around May time) detailing the accidents/incident statistics and a general narrative on main causes / remedial actions taken .