

# 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

- Report any accident, incident, near miss, involving pupils, staff and members of the public, by using the CCC 'Accident/Incident portal'; this may be delegated

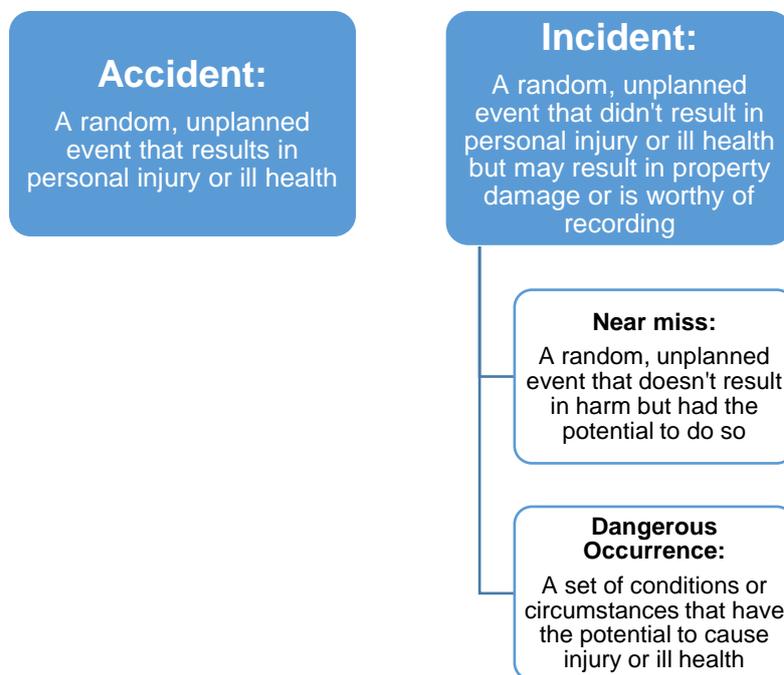
### 4.4 Staff

- Record any accident involving pupils that are under their supervision (as per local procedures)
- Report any near miss involving themselves to the relevant person
- Report 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

### 4.5 H&S Consultants

- Provide their services in accordance with the H&S contract, currently with CCC
- Advise each Academy when requested
- Carry out investigations on behalf of the Academy and submit RIDDOR reports if deemed necessary
- Provide a summary of accidents/incidents when requested by the Academies

## 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 (schools have different versions of this for simple bumps, for head injuries etc.)
- A responsible person for RIDDOR reporting to the HSE; this is done through the H&S contract by using their ‘Accident’ recording portal
- First Aid arrangements to provide basic first aid when needed
- Use of standard Accident/incident investigation form for pupils, staff and others, to complement the services given by the H&S contract, if felt beneficial

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

The relevant delegated person (usually the Headteacher or SBM) should complete the accident/incident form by using the online portal (Appendix 1), 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. A report will then need to be downloaded, printed out and filed in the aforementioned ‘accident book’.

The H&S Team will then follow any eventual investigation if needed, by contacting the school and the involved person directly.

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**

This is provided as part of the contract with CCC.

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 will be undertaken by the H&S consultants as part of their contract. When an accident/incident is reported by using the portal, the H&S team will decide if this needs to be a RIDDOR or not, and will report directly to the enforcing authority, in this case the HSE. Any subsequent action will be dealt with by the Team. RIDDOR reporting can be divided into 2 categories: people at work (employees) or someone not at work (pupils, members of the public).

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

This is provided as part of the H&S contract through CCC.

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, e.g. 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)**

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 Academies 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)**

This is provided as part of the H&S contract with CCC.

The Team 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, 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 Team 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 Academies 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 will be investigated by the CCC Team, and any corrective actions will be discussed by the Team and the Academy representative (this is usually the Headteacher).

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

The SM will request a summary to be provided by the CCC Team annually

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

## 11 Appendix 1

The following is the link to be used for any accident/incident/near miss reporting. The Trust can provide support if necessary.

<https://www.reportincident.co.uk/Cambridgeshire>

### **What should be reported on the Health and Safety Incident Report Form**

[www.reportincident.co.uk/cambridgeshire](http://www.reportincident.co.uk/cambridgeshire)

1. The form is to be used for reporting and investigating any work related incident that caused harm or could potentially have caused harm.

This includes:

- accidents to employees;
- work related accidents to non employees;
- ill health;
- acts of violence (including physical and verbal abuse and threats);
- road traffic accidents;
- non injury incidents that had the potential to cause harm (also known as “dangerous occurrences” or “near misses”).

2. What does “Work Related” mean?

Work related incidents are incidents that occur during an activity being carried out or organised by an employee in the course of their work.

For example:

- Incidents that occur during school trips or public events organised by an employee;
- Incidents where employees visiting or working at another workplace are harmed;
- Incidents where employees or service users are harmed whilst the employees are working in the community or visiting the service user in their own home;
- Incidents that occur on premises or grounds that are owned or let by the Council. (I.e. incidents that may be related to premises defects).

3. What Types of Ill Health Need Reporting?

The ill health must have been caused or made worse by work. It is not possible to give a definitive list, however ill health may include:

- A Musculoskeletal condition (e.g. regular aches and pains) associated with the use of computers or lifting and carrying,
- An infection that is likely to have been contracted through working with a group of people who are more likely to have the infection than the general population, or to pass on an infection due to their actions, e.g.:
- Rubella - through working with young children;
- Tuberculosis - through working with the homeless;
- Hepatitis through being bitten during a violent incident at work or through contact with a contaminated needle;

- Weil's disease through working close to rat infested areas;
- Food poisoning, where the source of the infection is known to be an Cambridgeshire County Council establishment, or a caterer appointed by the Council;
- Ear pain and/or deafness through work in noisy environments;
- "Vibration white finger" or numbness or pain in the hands through using tools/machinery that vibrates;
- Mental health conditions where work is a significant contributory factor;
- Reaction to exposure to a hazardous substance (e.g. asthma attack following exposure to a respiratory sensitiser, dermatitis from wearing latex gloves).

It would not include coughs and colds, stomach bugs etc. It is also not normally necessary to report persons with an existing health condition being taken ill (e.g. a fit in a person known to have epilepsy). However the manager may need to monitor increases in such incidents where the work is safety critical, as they may prompt a need for an occupational health review.

#### 4. What Acts of Violence need Reporting?

For the purposes of reporting, the HSE definition of violence should be used: "any incident in which a person is abused, threatened or assaulted in circumstances relating to their work." In general all behaviour, which falls under this definition of violence at work, should be reported. In addition acts of violence against non-employees should be reported if they are connected with the Council's work. It is clear that physical violence, threats and intimidation must be reported, but employees are often unsure about when to report abuse, particularly in some areas of the Council's work, where the use of abusive language by the public is very common.

For some people the use of abusive language is the normal way they may express themselves. We all occasionally lose our temper over something, which is outside our control, and some people may express their anger by using abusive language.

The important thing is how the incident made the employee feel. If they felt threatened, intimidated or upset by the incident, then it must be reported. Similarly, where an employee is injured through the specific behaviour of a child or service user (e.g. because they have a mental or physical impairment), but the affected person does not consider there to have been an intent of violence, the incident should be reported as an accident rather than an act of violence.

#### 5. Acts of Violence Affecting Non Employees

Acts of violence to non-employees (i.e. pupils) should be reported on the Health and Safety Incident Report Form (IRF96) if the incident was serious. For instance, an incident that:

- Involved the use of a weapon;
- Needed emergency police intervention;
- Resulted in serious injury (e.g. fractures, concussion or attendance at hospital);
- Resulted in an injury following the use of restrictive physical intervention.

Acts of violence between non-employees (e.g. pupil fights, and adversarial incidents between clients with learning difficulties) not covered by the above should be reported and dealt with through the establishment's own behaviour policies and procedures.

## 6. What Road Traffic Accidents (RTAs) need Reporting?

These would include any:

- Incident involving a vehicle on COUNCIL premises that caused harm;
- Road traffic accident involving an employee who was traveling in the course of their work (including travelling to attend a course), that resulted in injury; Road traffic accident causing injury to non-employees, where the transportation was arranged by a Council employee (e.g. during an educational visit);
- Incident where an employee working on or by the highway is struck by a vehicle
- Incident where a non-employee (under the supervision of an employee) who is on or by the highway is struck by a vehicle;
- Any of the above incidents that didn't cause harm, but could potentially have done so.

Road Traffic Accidents that occur on the way to or from the normal place of work need not be reported on this form. Accidents involving Cambridgeshire County Council owned or leased vehicles must also be reported to Cambridgeshire Road Safety Officer.

## 7. What are Non – Injury Incidents?

These are incidents that did not cause injury or ill health, but had the potential to do so, and therefore merit investigation so that action can be taken to prevent a similar incident. (Also known as dangerous occurrences or "near misses"). It also includes incidents where there is no apparent injury or ill health, but there is risk of ill health developing at a later date.

They would include:

- Slips and trips due to a damaged/slippery surfaces in the workplace or associated grounds;
- Falls from a height;
- Fires, explosions or sudden release of a dangerous substance;
- Collapses of structures or scaffolds;
- Escape of a hazardous substance (e.g. a known carcinogen such as asbestos) in a sufficient quantity to cause harm;
- Failure of the load bearing parts of lifting equipment or play equipment;
- Failure of a pressure vessel;
- Incidents that result in serious property / plant damage;
- Falls into water where it has been necessary to carry out a rescue to prevent drowning;
- A road traffic accident (see 6.0);
- A pupil or service user getting lost during a supervised visit, where it has been necessary to implement emergency procedures.

## 8. Accidents to Non Employees (i.e. pupils) During Leisure / Play Activities

Accidents to non-employees that occur during leisure / play activities need only be reported on the Health and Safety Incident Report Form if the cause appears to be work or premises related, or if the incident led to serious injury.

For instance:

- accidents caused by poorly maintained equipment or work premises;
- accidents where supervision levels were inappropriate or insufficient for the activity or that occur during a teaching activity;
- accidents to service users in their own home, whilst being aided by an employee or using equipment provided by the Council;
- accidents that result in a fracture, concussion or the injured party having to attend hospital.

Minor /superficial injuries (bumps, bruises, grazes etc.) arising from play/leisure activities (i.e. whose inherent nature means that non- preventable minor injuries are common) do not need reporting on the Health and Safety Incident Report Form. However such injuries should be recorded in a local Incident Log, including details of:

- The injured person's name;
- The injured person's address (unless they regularly attend the establishment e.g. as a pupil or service user);
- Date, time and place of the incident;
- Nature of the injury/illness;
- How the injury occurred;
- First aid given or other action taken. (e.g. informed parent);
- Name and signature of person dealing with the incident;

Information in the log should be treated as confidential. It is good practice to review the local incident log occasionally, as a pattern of accidents may indicate a weakness in how a play or leisure activity is being managed. For instance if a high number of accidents are occurring on play equipment, it may be necessary to restrict numbers using the equipment or improve supervision.