

## Incident, Accident and Near Miss Procedure

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|---|--|
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| Target audience:                                | Governing Body and all staff working for, or on behalf of, the CCG                                 |

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## 1. Introduction

NHS East Lancashire Clinical Commissioning Group (CCG) has a statutory responsibility as an employer to report specified incidents in accordance with the Health and Safety at Work etc. Act 1974 and the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations 2013 (RIDDOR). The CCG aims to ensure all reportable cases of work related injuries, diseases and dangerous occurrences are reported to the Health and Safety Executive (HSE) in the approved manner and within legally defined timescales.

This incident, accident and near miss procedure applies to all employees, visitors, and contractors who experience an accident, near miss or dangerous occurrence on any NHS East Lancashire Clinical Commissioning Group's controlled premises during the course of their employment (duty). This procedure will also apply to visitors who are members of the public and therefore not at work.

## 2. Purpose

The purpose of the procedure is to outline the arrangements for identifying, managing, investigating and reporting accidents, incidents and near misses within the CCG. This procedure covers reporting and recording procedures for managers, employees and non-employees.

The reporting of all incidents, prevented incidents (near-misses) is designed to ensure the following:

- A culture of openness in reporting incidents or prevented incidents (near misses);
- Prompt and precise gathering of information;
- Prompt communication with staff and where appropriate the media;
- Minimisation of distress to those affected by an incident;
- Identification of patterns and trends in the occurrence of incidents and prevented incidents (near-misses);
- Minimise, so far as is reasonably practicable, future risk by taking prompt and appropriate preventive action and on - going monitoring;
- Early warning of potential litigation and cost impact;
- Managers are able to review existing safety procedures;
- Fulfilment of the CCG's legal duties under statutory regulations.

## 3. Definitions

**For the purposes of this procedure the following definitions apply:**

- **Incident:** An instance of something happening; an event or occurrence;
- **Accident:** An incident which causes injury (whether medical attention is required or not);
- **Near Miss:** An Incident where no injury or damage occurred but, under different circumstances, could easily have resulted in injury or damage;

- **Damage:** An incident resulting in damage to property or equipment;
- **Violence and aggressions;**
  - non-physical assault of CCG employees (including verbal abuse, attempted assaults and harassment);
  - incident involving physical assault of CCG employees;
- **Ill health:** Physical ill (e.g. repetitive strain injury, carpal tunnel syndrome) that is caused or made worse by activities at work or a specified disease (e.g. dermatitis, asthma) as defined in RIDDOR;
- **Security Incident,**
- **Fire Incident;**
- **Dangerous Occurrence:** a dangerous occurrence can be defined as “any incident that has a high potential to cause death or serious injury” and are specified by the Reporting of Incidents, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).

**Work Related:** Includes not only those work related incidents which occur to employees but also to incidents which occur to others (e.g. visitors, contractors members of the public etc.) as a result of the CCG’s activities. For further information regarding whether or not groups of persons to which an incident occurs should be reported and recorded can be sought through the MLCSU Health and Safety Team.

## 4. Roles and Responsibilities

### 4.1. Duties within the Organisation

#### 4.1.1. Governing Body

The Governing Body are the most senior managerial groups within the CCG and consider and approve health, safety and welfare policies, and for the purposes of this procedure promotes the reporting and investigation of incidents and open and non-punitive approach of the CCG.

#### 4.1.2. Executive and Senior Team

Executives and senior managers are responsible for the health and safety of employees and visitors in their specified location/areas. As such they have the primary responsibility for ensuring this procedure is fully implemented in their area.

#### 4.1.3. Managers

Managers are responsible for implementing the policy by:

- Ensuring that all staff are aware of the procedures;
- Support & encourage staff in the reporting of accidents and near misses;
- Ensuring appropriate and timely reporting of incidents;
- Supporting the reporting process of reviewing and investigating local Incidents;
- Taking local remedial and preventative action;

#### 4.1.4. Employees

All employees are responsible for:

- Reporting any incident/accident/near miss in line with this procedure;
- Adhering to the employee requirements of the Health & Safety at Work etc. Act 1974;
- Provision of reports as requested as part of an investigation.

#### 5. RIDDOR

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) is the law that requires employers, and other people who are in control of work premises, to report and keep records of:

- Work-related deaths;
- Certain serious injuries (reportable injuries);
- Diagnosed cases of certain industrial diseases; and
- Certain 'dangerous occurrences' (near-miss incidents).

#### **RIDDOR requires deaths and injuries to be reported only when:**

- There has been an accident which caused the injury;
- The accident was work-related; and
- The injury is of a type which is reportable.

#### **Types of "Reportable" injuries**

##### ***Deaths***

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.

##### ***Specified injuries to workers***

The list of 'specified injuries' in RIDDOR 2013 replaces the previous list of 'major injuries' in RIDDOR 1995. Specified injuries include (regulation 4):

- a 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 internal organ damage;
- serious burns (covering more than 10% of the body, or damaging the eyes, respiratory system or other vital organs);
- scalpings (separation of skin from the head) which require hospital treatment;
- unconsciousness caused by head injury or asphyxia;
- any other injury arising from working in an enclosed space, which leads to hypothermia, heat-induced illness or requires resuscitation or admittance to hospital for more than 24 hours.

##### ***Over-seven-day injuries to workers***

This is where an employee is away from work or unable to perform their normal work duties for more than seven consecutive days (not counting the day of the accident).

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## ***Injuries to non-workers***

You must report 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 to that injury. Examinations and diagnostic tests do not constitute 'treatment' in such circumstances. There is no need to report incidents where people are taken to hospital purely as a precaution when no injury is apparent.

### **6. The Accident Form**

All incidents, accidents dangerous occurrences and near misses must be recorded on an incident / accident form which can be found at Appendix B.

The Director of Corporate Business will review accidents and near misses reported to ascertain the nature of incidents, ensure that adequate records are being maintained and that remedial action has taken place. This review will be in addition to an individual investigation of RIDDOR reportable incidents.

All near misses must also be reported as soon as possible so that action can be taken to investigate the causes and to prevent reoccurrence. The best place to record this information is on an accident form.

Trade Union Safety Representatives (if appointed) should be notified at the time of the incident by the person completing the form to allow them to investigate should they so wish. No personal details will be disclosed unless consent has been given by the injured party.

### **7. Reporting Process — Employees**

Any accident/near miss or dangerous occurrence must be reported to your line manager as soon as possible to enable an accident form to be completed.

If an injury renders an employee unable to give the information required to complete an accident form, a witness or someone who is able to enter an account of the incident should complete it. The employee's account must be entered as soon as possible after the event. Employees must ensure that they are aware of the reporting procedures.

All accidents and near misses must be recorded, however minor. Unless the CCG is informed of these incidents, it will be unable to take remedial action or learn.

An injury may be dealt with by a first aider or the situation taken under control by an appointed person.

Where an accident results in absence from work, employees must follow the CCG's Absence Reporting Procedure in addition to the completion of an accident form.

### **8. Reporting Process — Line Managers**

When an accident is reported to the Line Manager, they must ensure that the accident form is completed.

The completed accident / incident form must be forwarded to Midlands and Lancashire CSU Risk Team: [scsu.riskteam@nhs.net](mailto:scsu.riskteam@nhs.net). A copy of this form will be retained, in line with the Data Protection Act 1998 and any relevant information will be shared with the building manager.

If the incident results in over seven consecutive days of incapacity for work it is reportable under RIDDOR and the local enforcing authority must be informed on a prescribed form (F2508) within **15 days**. This will be completed by the line manager with assistance from the MLCSU Health and Safety Team.

## **9. Reporting Process — Visitors/Contractors**

Any non-employee who is involved in an accident or near-miss incident whilst on CCG premises must report the incident immediately to the reception staff.

All injuries must be reported on the accident form however minor. Visitors and contractors who are unable to enter their own account must arrange for another person to complete the form on their behalf. Visitors and contractors should also notify their own employer where applicable.

## **10. Notification to the Health and Safety Executive**

Where an employee is involved in a serious accident resulting in a major injury, an accident that results in over seven consecutive days of incapacity, a reportable dangerous occurrence or an occupational disease / condition the CCG has a statutory duty to report such incidents to the HSE.

The line manager must notify the Director of Corporate Business without delay and this will be reported to the enforcing authority in accordance with the HSE reporting procedure. This is most easily done by reporting online <http://www.hse.gov.uk/riddor/report.htm>. Alternatively, for fatal accidents or accidents resulting in specified injuries to workers **only**, you can phone 0845 300 9923 Mon – Fri 0830 – 17.00hrs.

**NB: A report must be received within 10 days of the incident.**

For accidents resulting in the over-seven-day incapacitation of a worker, you must notify the enforcing authority within 15 days of the incident, using the appropriate online form.

## **11. Accident Investigations**

The injured person's line manager will undertake prompt investigation of accidents and near misses.

The MLCSU Health and Safety Team will assist, if requested, in any investigation of Major Injuries, Fatalities, Accidents with over 7 days absence from work, Dangerous Occurrences, RIDDOR specified diseases.

During the investigation, the line manager undertaking the investigation will liaise with the appropriate staff to prepare a report which details findings, conclusions and recommendations to prevent a recurrence.

Investigation reports will be presented to the relevant management teams and other Senior Management Teams as appropriate on request.

## **12. Equality Analysis Assessment**

**12.1.** The CCG aims to design and implement procedural documents that meet the diverse needs of our service and workforce, ensuring that no one is placed at a disadvantage over others, in accordance with the Equality Act 2010.

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**12.2.** The Equality Analysis Checklist initial screening, which was used to determine the potential impact this policy might have with respect to the individual protected characteristics, is incorporated at Appendix A.

**12.3.** The results from this initial screening indicate that this policy will not require a full Equality Analysis Assessment.

### **13. References**

- Health and Safety at Work etc. Act 1974;
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR);
- The Social Security (Claims and Payments) Regulations 1979;
- The Data Protection Act 1998;
- HSE INDG453(rev1) published 10/13 – Reporting Accidents and Incidents at Work;
- <http://www.hse.gov.uk/riddor/>

## Appendix A

### Equality Analysis Checklist

| Equality Analysis Checklist  | Yes   | NO |
|--|---|----|
| <p>Does the 'Activity' being considered for equality analysis affect service users, employees or the wider community and therefore potentially be highly significant in terms of equality?</p> <p><i>(Relevance will depend not only on the number of those affected but also by the significance of the effect on them)</i></p>   |   | X  |
| <p>Is it a major 'Activity' with significant implications for equality?</p> <p><i>E.g. a strategy, commissioning large scale programmes, care pathway re-design, building development etc.</i></p>   |   | X  |
| <p>Has previous engagement highlighted important inequalities for protected groups?</p>  |   | X  |
| <p>Does or could the 'Activity' affect different protected groups differently?</p>   |   | X  |
| <p>Does the 'Activity' relate to a known area of inequalities?</p> <p><i>E.g. access issues for disabled people, services for vulnerable people.</i></p>   |   | X  |
| <p>If you have answered yes to any of the questions above you need to complete an Equality Analysis.</p> <p>Focus attention on those aspects most relevant to equality. Which protected groups is it most relevant to?</p>   |   |    |
| <p>If you answered no to all of the questions above then you don't need to undertake an Equality Analysis.</p> <p><i>*When you decide an 'Activity' is not relevant to equality and therefore does not require an Equality Analysis it is important to document the decision and reason for the decision. This ensures that you have not overlooked potential issues relevant to equality which could leave you vulnerable to legal challenge.</i></p> |   |    |
| <p><b>Decision:</b> No requirement for a full Equality Analysis Assessment</p>   | <p><b>Reason:</b> The degree of relevance to individual equality strands will <u>not</u> require a full Equality Analysis Assessment.</p> |    |
| <p><b>Name:</b> Michael Moir (SLCSU Health and Safety Manager)</p>   | <p><b>Date:</b> 21 Jan 14</p>   |    |

## Appendix B

### INCIDENT /ACCIDENT & NEAR MISS FORM

| REPORTER DETAILS  |                        | PERSON INVOLVED DETAILS                      |   |  |  |
|---|------------------------|--|---|--|--|
| Name:   | <input type="text"/>   | Name:<br><i>(If different from reporter)</i> | <input type="text"/>  |  |  |
| Job Title:  | <input type="text"/>   | Address:<br><i>(If not staff)</i>            | <i>NB If this is a report of an <b>accident</b> to a member of staff, the staff member's home address must be shown</i> |  |  |
| Grade   | <input type="text"/>   |  |   |  |  |
| Dept / Location   | <input type="text"/>   | Contact No:                                  |   |  |  |
|   |                        | Date of Birth:<br><i>(If not Staff)</i>      |   |  |  |
|   |                        | Gender:                                      | Male  | Female   |  |
| Contact Tel. Number:  | <input type="text"/>   | Status <i>(Please Circle)</i>                | Staff / Patient / Visitor / Other   |  |  |
| Type of incident: Clinical / Non Clinical / Accident to Staff / Violence or Aggression to staff/ Fall <b>(please circle)</b> Near Miss<br>YES / NO  |                        |  |   |  |  |
| Date of Incident:   | Time (24 hr.):         | Exact Location - Site and address:           |   |  |  |
| <b>WHAT HAPPENED?</b> <i>(Facts only to be recorded – not opinion) Include the names of all affected or involved, or other factors that contributed to the incident - please use continuation sheet if necessary.</i> |                        |  |   |  |  |
| INJURY DETAILS:   |                        |  |   |  |  |
| WHAT IMMEDIATE ACTION WAS TAKEN? (Including any First Aid given)  |                        |  |   |  |  |
| WERE THERE ANY WITNESSES? (If so who?) (Give contact details)   |                        |  |   |  |  |
| WAS ANY MEDICATION INVOLVED? (Give name and dosage)   |                        |  |   |  |  |
| WAS ANY EQUIPMENT INVOLVED? YES/NO (Give make, model and serial number)   |                        |  |   |  |  |
| How Harmful was this Incident?  |                        |  |   |  |  |
| Actual Impact   |                        | Score  | Tick  | Staff Absence  |  |
| Insignificant : No Injury   |                        | 1  |   | None – immediate return to work  |  |
| Minor: Short Term   |                        | 2  |   | Over 1 hr. but less than 1 day   |  |
| Moderate: Semi Permanent Injury   |                        | 3  |   | 1 -7 days  |  |
| Major: Permanent Injury   |                        | 4  |   | More than 7 days   |  |
| Catastrophic: Death or Destruction  |                        | 5  |   | <b>Is this incident notifiable to the HSE Y/N</b>                                      |  |
| Likelihood of Recurrence  |                        |  | Near Misses   |  |  |
| Almost Certain:   |                        | 1  |   | Was the incident a 'near miss'? Yes / No   |  |
| Likely but not persistent issue:  |                        | 2  |   | If this is a near miss, please consider what the possible consequences might have been |  |
| Possible: (may recur occasionally)  |                        | 3  |   | Potential Impact   |  |
| Unlikely: (but possible)  |                        | 4  |   | Insignificant : No Injury  |  |
| Rare: (not expected to occur for years)   |                        | 5  |   | Minor: Short Term  |  |
| OVERALL GRADING (Impact x Likelihood)   |                        |  |   | Moderate: Semi Permanent Injury  |  |
| 0 - 8<br>Low Risk   | 4 – 8<br>Moderate Risk | 9 – 15<br>Significant Risk                   | 15 & Above<br>High Risk   | Major: Permanent Injury  |  |
|   |                        |  |   | Catastrophic: Death or Destruction   |  |

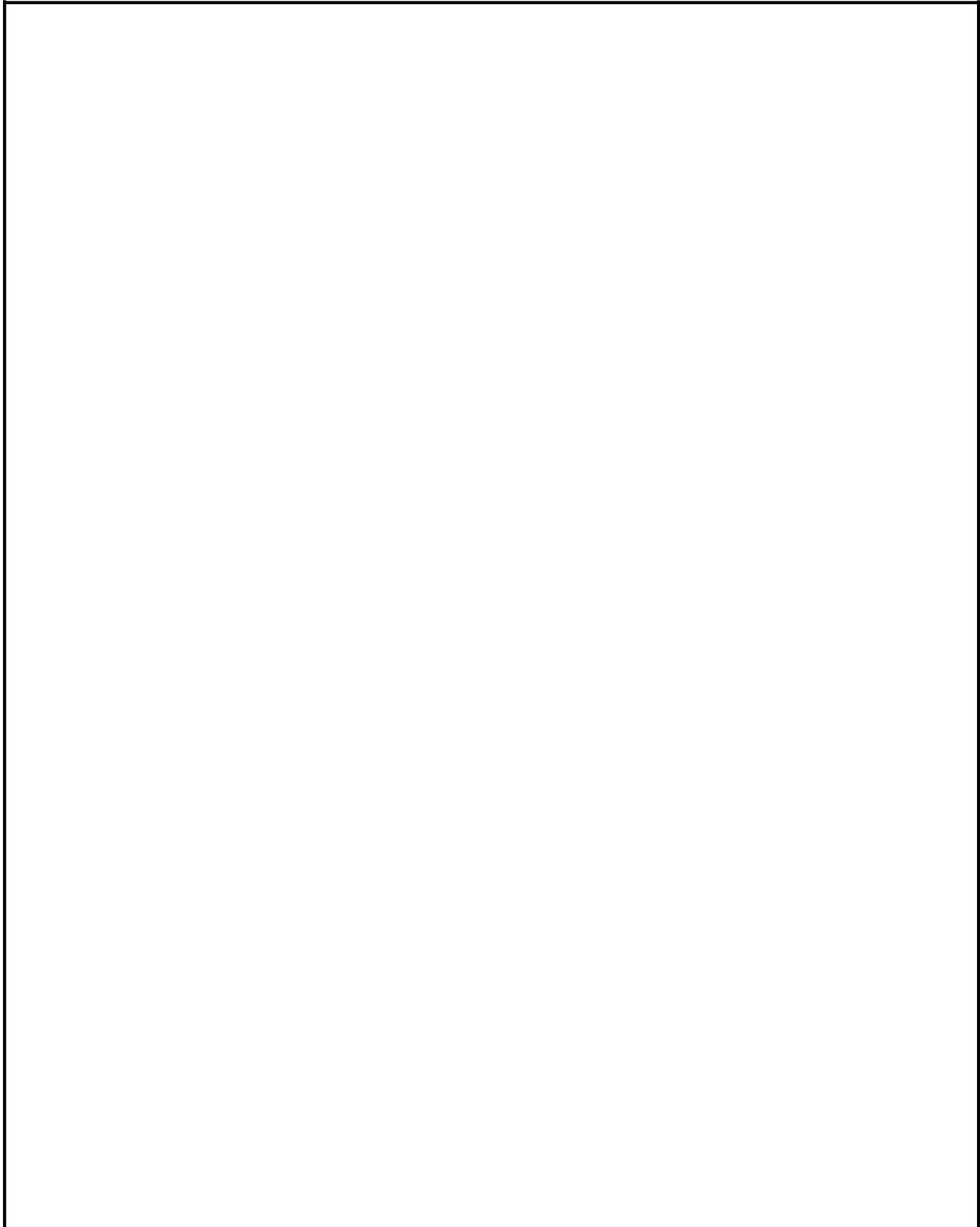
**TO BE COMPLETED FOR ALL INCIDENTS, ACCIDENTS AND NEAR MISSESS BY LINE MANAGER  
(FOLLOWING INVESTIGATION)**

**WHY DID THE INCIDENT HAPPEN?***(E.g. failure of process, missing procedures etc.)***WHAT ACTION HAS ALREADY BEEN TAKEN?****WHAT FURTHER ACTION IS RECOMMENDED OR PROPOSED?****ANY OTHER COMMENTS?***Have any service improvement issues been identified?***Please tick box if there are any safeguarding adult/children issues involved***If yes please tick here**Date of Referral**Injured Person Signature:**Print Name:**Date:**Manager Signature:**Print Name:**Date:**Manager contact telephone number or email address:**Managers address / location:***HOW TO USE THIS FORM**

- This form should be freely available to everyone working with the organisation;
- It can be completed by any member of staff but should be signed by immediate supervisor or line manager;
- Use this form to report anything which causes you concern;
- Events resulting in injury or serious harm should always be drawn immediately to the attention of your manager;

**ON COMPLETION THIS FORM SHOULD BE SENT TO THE SLCSU WITHIN THREE (3) DAYS, HOWEVER IF THE EVENT IS SERIOUS IT SHOULD BE REPORTED IMMEDIATELY BY TELEPHONE TO THE Health and Safety Advisor on 01772214323.****PLEASE SEND BY EMAIL TO: [scsu.riskteam@nhs.net](mailto:scsu.riskteam@nhs.net)****IF THE INCIDENT IS NOTIFIABLE TO THE HEALTH & SAFETY EXECUTIVE – THE SLCSU HEALTH AND SAFETY ADVISOR IS TO BE INFORMED ON 01772214323 / 07771996217 for further guidance and advice.***Fair blame statement – completion of this form will not lead to disciplinary action, EXCEPT where acts or omissions are malicious, criminal or constitute gross or repeated misconduct.*

**CONTINUATION SHEET** *(If required)*

A large, empty rectangular box with a black border, intended for providing additional information or details if required. The box is currently blank.