



HUMBERSIDE FIRE AND RESCUE SERVICE

# HEALTH, SAFETY & ENVIRONMENT

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## SAFETY EVENT REPORTING, RECORDING AND INVESTIGATION ARRANGEMENTS

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<b>Date written</b>	<b>July 2017</b>
<b>Date of last review</b>	<b>August 2018</b>
<b>Date of next review</b>	<b>August 2021</b>

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## 1. INTRODUCTION

Humberside Fire and Rescue Service (HFRS) has procedures in place to ensure that all accidents, near misses (including undesired circumstances), vehicle collisions and attacks on Fire Service personnel are reported and investigated. For the purpose of clarity, these 4 types of incident are grouped under the generic heading of a “safety event”.

This arrangement details the responsibilities of personnel where safety events and reportable dangerous occurrences happen, which may or may not result in injuries to any person, or where personnel contract an industrial disease.

**Employees have a duty to report any adverse safety event as listed above, no matter how trivial they may seem. This includes any near miss which could have potentially caused danger or harm. Reporting this kind of event enables the Health, Safety and Environment (H, S, & E) section to proactively monitor organisational trends and implement corrective actions as appropriate before an accident occurs.**

## 2. EQUALITY AND INCLUSION

HFRS aims to continuously improve the standards of service we provide to the community we serve. We recognise the importance of, and are committed to promoting equality and inclusion in the provision of our services and to our employees. We are committed to encouraging equality and diversity amongst our workforce and to eliminating unlawful discrimination. We aim for our workforce to be truly representative of the community we serve and for each of our employees to feel respected and to be able to give their best.

## 3. REPORTING AND RECORDING OF SAFETY EVENTS

The health and safety (H & S) electronic reporting software used by HFRS categorises 4 types of safety event:

1. **Accident:** when a physical injury is sustained.
2. **Near miss:** where circumstances present a risk of serious and imminent danger but no harm is sustained. This may relate to work activities and equipment use.
3. **Vehicle collisions:** whether involving other vehicles or taking place on or off Service premises. This report does not replace the need to report collisions on the public highway to the Police.
4. **Attacks on Fire Service personnel:** may be verbal or physical.

Any safety event due to HFRS activities, which affects Service equipment, personnel or other persons, on or off Service premises must be reported immediately to the ‘responsible person’ e.g. line manager, trainer or supervisor. This does not include events occurring during individual arrangements for travelling to or from a place of work.

**It is the responsibility of the individual who has experienced the safety event to record it within 48 hours of the occurrence on the H&S electronic reporting system.**

This can be done by clicking on the “H & S Incident Reporting” green cross icon; accessible from any Service computer desktop. On the occasions when the individual is unable to record the safety event on the system i.e. due to being incapacitated or removed from their duty due to the event, then the responsibility will become that of the line manager, trainer or supervisor of the individual at the time of the safety event.

For the small group of personnel who do not have access to a computer i.e. cleaners; they will report any safety event to their line manager who will be the ‘responsible person’ for recording it. Out of hours, or where no line manager is available, then Service Control must be contacted on 01482 567425 from an external line or extension 7425 from the internal phone system. The OIC of Service Control will become the ‘responsible person’ for recording the event.

Once the safety event has been recorded on the H&S electronic reporting system the H, S & E Section will automatically be informed via an e-mail. A notification will also be sent to the appropriate Representative Bodies should the individual select this option when recording the event.

See the H, S & E portal page to view a flow chart of the procedure to be followed when reporting safety events.

Further guidance on completing the H&S electronic reporting system can be found in the shared documents section on the H, S, & E page on the corporate information portal

#### **4. THE REPORTING OF INJURIES, DISEASES AND DANGEROUS OCCURRENCES REGULATIONS 2013 (RIDDOR)**

Under RIDDOR 2013, in certain circumstances there is also a legal requirement to inform the Health and Safety Executive (HSE) within a specified timeframe of certain safety events; **this will be done by the Service’s H, S & E Section.**

To enable the Service to comply with this legislation it is essential that all work related safety events and episodes of ill-health are recorded on the H & S electronic reporting system as soon as possible and within the 48 hour period specified. In addition, where the safety event results in fatality, major injury, transfer to hospital, or significant health, safety or welfare implications then the H, S & E Section should be informed without delay, by phone, or if out of office hours, by e-mail at:

- [HealthAndSafety@humbersidfire.gov.uk](mailto:HealthAndSafety@humbersidfire.gov.uk)

For safety events classified under RIDDOR 2013 as either a significant event or significant injury the H, S & E Section will notify the on duty member of the Corporate Management Team (CMT) by telephone as soon as is practicable with regards to the nature and type of incident. Out of office hours this will be the responsibility of Control.

## 5. NOTIFICATION TO THE HEALTH AND SAFETY EXECUTIVE (HSE)

As required by RIDDOR 2013, the HSE must be informed as soon as practicable in respect of safety events involving reportable injuries, dangerous occurrences and diseases. This will be done via the HSE website by the H, S & E section who will decide whether any type of safety event is reportable under these regulations after the initial recording on the H & S electronic reporting system.

Fatal injuries or major safety events will be reported to the HSE's Incident Contact Centre via telephone immediately by the H, S & E team.

**The responsibility of ALL reporting to the HSE will be that of the H, S & E Section.**

### Reportable Injuries

Further information on the requirements of RIDDOR 2013 can be obtained from the HSE website (HSE.gov.uk) or from the H, S & E section.

### Reportable Diseases

Provided that a doctor has diagnosed the disease, the HSE must be informed of any person suffering from any occupational disease as specified in the regulations. Advice on whether this disease is reportable under RIDDOR 2013 should be sought from the H, S & E Section and the Occupational Health Department.

### Dangerous Occurrences

RIDDOR 2013 classifies 27 categories of reportable dangerous occurrences. Further guidance on these can be obtained from the H, S & E section who are responsible for deciding whether a safety event falls into one of these categories and if so reporting it to the HSE within the appropriate timescales. The Regulations can be accessed directly on the HSE website (HSE.gov.uk) although, as with all health and safety legislation, there is a degree of interpretation required.

### Breathing Apparatus

The most likely dangerous occurrence as classified by RIDDOR 2013 to be encountered during HFRS activities involves the use of breathing apparatus. As a guide this applies for any incident in which breathing apparatus malfunctions while in use, or during testing immediately prior to use in such a way that had the malfunction occurred while the apparatus was in use it would have posed a danger to the health or safety of the user.

The regulations do not apply when the breathing apparatus malfunction occurs whilst being maintained or tested as part of a routine maintenance procedure.

The on duty manager at Service premises or the OIC of an incident at which any reportable dangerous occurrence takes place, shall record the safety event on the H&S electronic reporting system. If, as a result of the dangerous occurrence any individual(s) are injured or suffering effects from exposure, then it is their responsibility to record it within 48 hours on the H&S electronic reporting system. On the occasions when the

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individual(s) are unable to record the safety event on the system i.e. due to being incapacitated, then the responsibility will become that of the line manager, trainer or supervisor.

Depending on the nature of the occurrence, the H, S & E section will notify the on duty member of CMT by telephone as soon as is practicable with regards to the nature and type of incident. Out of normal working hours, this will be carried out by Control.

The H, S & E Section will inform the HSE within the required timescale in line with the relevant procedure. Where the person involved is a trainee or self-employed, the individual's employer must also be informed.

A copy of the HSE reporting form shall be kept on the H, S & E shared drive and be available for inspection by the HSE or any other authorised person. (See H, S & E portal page for guidance on particulars to be kept in records.

The on duty manager at Service premises or the OIC of an incident at which any reportable dangerous occurrence takes place will ensure an initial investigation is carried out to ensure that any immediate interventions are completed to make the area safe. Also, it is essential that consideration is given to preservation of the scene at the earliest opportunity to facilitate subsequent formal investigations by HFRS or other agencies such as the police or the HSE.

The H, S & E Section will utilise the H&S electronic reporting system to allocate a suitably trained person to carry out the full safety event investigation as soon as is practicable.

The investigator will capture all evidence and report their findings on the H&S electronic reporting system.

**Note:** The reporting of injuries and dangerous occurrences involving non-Fire Service personnel on HFRS property and/or under the supervision of HFRS personnel are the responsibility of HFRS.

The reporting of dangerous occurrences involving HFRS personnel on property not under its control will be the responsibility of the 'responsible person' for that site. However, the HFRS employee must ensure the safety event is recorded on the Service's H&S reporting system. The H, S & E Section may report the safety event to the HSE irrespective of the third party's responsibility to report it under the RIDDOR 2013 Regulations as good practice.

## **6. WORK RELATED INJURY AND DISEASE**

### **Absence due to a work-related injury**

- Any absence from duty due to a work related accident must be recorded on the H&S electronic reporting system within the stipulated timescale, (Section 2. para 3. above).

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- In the event of an injury not being classed as a work related accident, the individual must be informed as soon as possible by the H, S & E Section. This decision will be made following a suitable and sufficient investigation of the safety event which allegedly caused the injury.
- The individual may then appeal against the decision by applying to the Department for Work and Pensions (DWP). The outcome will be notified to the individual who will be required to inform the Service of the decision. The Service will honour the DWP ruling but until such time as their decision is known the absence will be treated as sickness only.

**Absence Due to a work-related disease**

- When individuals report sick due to what they consider to be a work related disease as defined by RIDDOR 2013, this should be recorded on the H&S electronic reporting system within the stipulated reporting period or as soon as the individual is aware of their illness.
- The H, S & E Section will work with Occupational Health to advise on further action and if required report the disease to the HSE. Should it be confirmed that the individual's absence is linked to a work related disease then the employee's absence should be shown on subsequent absence returns as a work related disease.
- A copy of the HSE online reporting form will be kept on the H, S & E shared drive and on the individual's PRF so as to be available for inspection by the HSE or any other authorised person. (See H, S & E portal page for guidance on particulars to be kept on records.

**Medical Examination**

- In the case of the first and any subsequent absence, due to a work related disease or accident, an employee shall at any time during such absence, if so required by the Service, be subject to a medical examination by the Service's Medical Officer.
- In the event that the Service's Medical Officer is not satisfied that the absence is due to a work related disease or accident, the employee shall have the right of appeal to an independent medical referee chosen jointly by the Fire Authority and the employee.
- Failure by employees to comply with the procedure may render them liable to exclusion from the provisions of the occupational sickness pay scheme relating to work related disease or accident. However, the employees shall have the right to appeal through the normal procedure.

**7. PERSONNEL INJURED IN ROAD TRAFFIC COLLISIONS**

Injuries caused to on duty personnel travelling in Service vehicles on the public highway are not usually reportable to the HSE. However, RIDDOR details certain incidents involving vehicles that are reportable to the HSE. Further guidance on these can be obtained from the H, S & E Section who are responsible for deciding whether a safety event falls into one of these categories and if so reporting it to the HSE within the appropriate timescales. Stronger legislation enforced by the Police, i.e., the 'Road Traffic Act' will apply to the majority of road traffic occurrences.

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For further guidance on the accident reporting procedure for vehicles refer to the policy: Management of Occupational Road Risk. However, all vehicle collisions must be recorded on the H&S electronic reporting system and on TRANMAN for the purposes of any resultant repair and disclosure to our insurance provider.

The H, S & E Section will appoint a Level 3 accident investigator (see section 8 below) who will be from the Driving Training Section to carry out the appropriate investigation and complete a detailed report on the H&S electronic reporting system.

Should any investigation involve the Police, then the HFRS accident investigator must ensure they liaise with the Police, since they have primacy and any potential for conflict should be eliminated.

**Note:** If a person is injured directly as a result of a road traffic collision then a separate RIVO entry detailing the nature of the injury as an accident must also be submitted.

## **8. DEATH OF HFRS PERSONNEL WHILST ON DUTY**

For incidents involving the loss of life to any member of HFRS personnel (not just operational), the policy for Death or Life Critical Condition (In Service) details the roles and responsibilities of personnel within the Service.

The Police will investigate a workplace death and take the lead to establish if offences have been committed (i.e. deliberate intent or gross negligence or recklessness on the part of an individual or company) relating to the cause of a fire or road traffic collision.

The Police will take primacy over any investigation into a death in the workplace. They will liaise with the HSE under a nationally joint agreed protocol and may carry out a joint investigation.

Once the Police are satisfied there is insufficient evidence that a serious criminal offence (other than H&S offence) caused the death, the investigation should by agreement, be taken over by the HSE.

The on duty member of CMT will nominate a suitable manager to initiate the Service investigation process. They will decide, in consultation with the Group Manager Service Support, the most appropriate personnel to form an Accident Investigation Team (AIT).

Due to the nature of the safety event, the AIT should consist of at least two Level 3 accident investigators. The size of the team will reflect the complexity of the incident under investigation, and preferably include personnel with specific related knowledge and skills.

CMT will ensure appropriate finance and resources are made available to support the AIT in fulfilling their role.

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The Terms of Reference for the AIT should be produced and also consideration given to a MoU with the Police and/or HSE. Examples and guidance can be found in the CFOA publication 'Death in the Workplace' May 2013.

Representative Bodies (RBs) are entitled to carry out their own accident investigation under the terms of the Safety Representatives & Safety Committee Regulations 1977.

It may be that the most beneficial course of action is for HFRS is to conduct a joint investigation in cooperation with the RBs. This will potentially maximise use of resources and expedite the process by reducing duplication of effort and the number of witness interviews necessary. However, strict protocols should be established prior to commencement of the investigation process. Some of the areas to be formalised in an agreed joint protocol include:

- A nominated senior investigator to lead the process.
- A clear understanding of the purpose of the investigation to identify potential safety shortfalls and improve future performance; not for the purpose of political leverage, disciplinary procedures or substantiating/defending future civil claims.
- Adherence to the shared common goal of the investigation, i.e. to gain a full understanding of the immediate, underlying and root causes of the safety event in order to prevent future reoccurrences, protect the safety of employees and promote wider shared learning.
- Total Impartiality and no conflict of interests or leading of witnesses to implicate or protect potential failings on the part of the organisation.
- Confidentiality; no sharing of information gathered outside of the immediate AIT during the process.
- Full awareness of any sensitive issues and/or related criminal proceedings.
- Disclosure and collation of all information by any member of the AIT to the lead investigator so they may decide on its relevance for inclusion in the final report.

There may be occasions when other agencies or FRSs are involved within the investigation process. Every effort should be made to assist them in fulfilling their role. It is good practice to seek the assistance of a "critical friend"

The Chief Fire and Rescue Advisor at the Department for Communities and Local Government must be notified without delay of the death on duty, of any operational firefighter and in any case within 24 hours after the death has occurred.

## **9. ACCIDENT/ SAFETY EVENT INVESTIGATION**

To effectively manage arrangements for health and safety within HFRS and to continually improve performance it's essential that all safety events are appropriately investigated. The identification of immediate, underlying and root causes enables local remedial action to be implemented, wider lessons to be learnt and shared which may require longer term organisational objectives to be introduced.

## Levels of Safety Event Investigation

HFRS operate 3 levels of accident investigation:

- **Level 1:** Basic level investigations into local low level safety events to be completed by supervisory management who have received input as part of their mandatory health and safety training for their role.
- **Level 2:** More in depth investigations performed at middle manager level or above into more significant or recurring safety events that have potentially serious consequences or service-wide implications. Specific accident investigation training from external provider necessary to function at this level.
- **Level 3:** Investigations into safety events involving fatalities, major injury/illness or the potential for such. Also where service delivery is affected, members of the public involved and external agencies are likely to be involved (e.g. Police or HSE). To be performed or lead by suitably qualified specialist personnel only who have undertaken a full Serious Accident Investigation Course and maintain competence in the function. This will usually involve the H, S & E Section as decided by the Director of Service Support.

## Allocation of Investigations

Once one of the following have been reported on the H&S reporting system:

- accident/incident
- near miss
- attack on fire service personnel
- vehicle collision

The H, S & E Section will allocate the 'task' of investigation to the most appropriate manager depending on the location and level of investigation required. This will be done through the H&S electronic reporting system which provides an audit trail.

The relevant Safety Representative of the appropriate RB will be informed if it is one of their members who reports or is involved in the safety event. The H&S electronic reporting system automatically generates an electronic alert to the respective RB should the individual tick the appropriate RB notification box. For more significant safety events the H, S & E section will contact the respective safety representative direct.

Representatives will be given every facility and assistance to investigate accidents and also access to any relevant documentation. As per section 7; where the safety event has particularly significant and/or Service-wide implications, it may be beneficial for the future safety of employees to conduct a structured joint HFRS and RB investigation.

The duty manager of the premises or OIC of the operational incident must ensure that any evidence is not interfered with in any way and any equipment involved is

impounded. Equipment should be impounded in accordance with the Operational Equipment Policy.

Occasions where the accident investigation is following a death of an employee whilst at work, the AIT can gain further guidance from the CFOA publication, Death in the Workplace.

The overriding objective of any safety event investigation must always be adhered to. Where a joint investigation is decided upon; this must be for the purpose of a single impartial final agreed report and related recommendations to identify causation and improve safety. A joint investigation must not use the same evidence gathered to formulate separate reports biased towards potential outcomes driven either HFRS or any RB.

Any witness statements or evidence gathered during a safety event investigation must not be used for the purposes of disciplinary procedures. In the event of the investigation identifying clear and deliberate breaches of legislation or policy that potentially or otherwise could seriously affect the safety of other employees, a resultant recommendation may include a further investigation for the purpose of organisational needs.

### **Timescales for Completion of Investigation**

The speed of the entire process for a safety event from reporting, allocating, gathering evidence and formulating an investigation is critical to the potential safety benefits to be achieved. Accuracy of information from the scene and witnesses will reduce as time passes. The more serious the event, the more essential the investigation is completed promptly.

As a guide, managers allocated an investigation at levels 1 or 2 should attempt to complete it within 10 days on the H & S electronic reporting system. It is recognised that any investigation is in addition to normal workload, but every effort must be made to treat as a priority and complete quickly. This will enable the H, S & E section to address any organisational failings and implement corrective measures

More serious safety events which require level 3 investigations will obviously require a longer timeframe to complete due to their increased complexity and the number of people involved. However, the process should still be conducted as quickly as is reasonably practicable without compromising the quality of the investigation and the resultant outcomes.

## **10. INVESTIGATION OF RIDDOR REPORTABLE INCIDENTS**

Accidents that are reportable to the HSE under RIDDOR will be investigated by the H, S & E section (supported by any subject matter experts) as soon as practicable after the accident. A comprehensive file will be produced and may include as necessary:

- Witness statements.
- An explanation of what was being done, where and when.
- An explanation of what happened.
- Who was injured and why.
- The cause and any contributory factors.
- Immediate corrective action taken.
- Recommendations.
- Risk assessments.
- Copies of any other relevant documentation.
- Photographs.
- Plans.

This investigation will be in addition to the standard reporting procedure.

**The purpose of this investigation is not to apportion blame or protect the organisation from potential future civil litigation claims but to prevent a reoccurrence of the event and identify the underlying causation.**

## **11. FAILURE OF EQUIPMENT**

The failure of equipment which results in either injury/loss or in a near miss must be captured on the H&S electronic reporting system. The details of the equipment must be completed within the form. This report will highlight potential safety implications but will not initiate repair or replacement of the piece of equipment; this is done via reporting on the Tranman system operated by the Fleet and Equipment section. (Further guidance can be found in the “Operational Equipment” policy owned by Emergency Response). The on duty manager of the premises where the failure occurred or the OIC of the operational incident will comply with the reporting procedures detailed in the Safety Event Reporting & Investigation flow chart and Operational Equipment Policy. The H, S & E Section will determine whether the failure of equipment falls within the requirements of RIDDOR.

## **12. EMPLOYEE'S DUTIES**

To ensure the Service fulfils its duties under the Management of Health & Safety at Work Regulations 1999, each employee has a responsibility to report any of the following occurrences:

- accident
- near miss
- act of aggression and
- vehicle collision

This responsibility includes:

- notifying their line manager immediately so any remedial action can be taken to prevent further incidents.
- recording any accident or near miss that involves them directly within 48 hours on the H&S electronic reporting system (as per section 2).

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- recording their personal account of their actions contemporaneously (should their notes be requested by the Police, then copies should be taken and offered to the AIT).

Regulation 14 of the Management of Health and Safety at Work Regulations 1999 places the following duties on all employees:

- Using the equipment, safe systems of work and procedures provided by the Service in accordance with training and instruction given.
- Informing their line manager without delay of any situation which may present a serious and imminent danger.
- Notifying their line manager of any shortcoming in the health and safety arrangements.

By complying with Regulation 14 above, then individuals can contribute to assist the Service in making the workplace safer by reducing the amount of safety events.

**If you require further guidance on this document, please contact the  
Health, Safety & Environment Section**