



National Offender Management Service

HEALTH AND SAFETY ARRANGEMENT FOR THE MANAGEMENT OF ACCIDENT REPORTING, RECORDING AND INVESTIGATION

This instruction applies to:-		Reference:-
National Probation Service		PI 13/2015
Issue Date	Effective Date Implementation Date	Expiry Date
1 March 2017 (Revised)	07 July 2015	06 July 2018
Issued on the authority of	NOMS Agency Board	
For action by	<p>All staff responsible for the development and publication of policy and instructions</p> <p><input type="checkbox"/> NOMS HQ</p> <p><input type="checkbox"/> Public Sector Prisons</p> <p><input type="checkbox"/> Contracted Prisons*</p> <p><input checked="" type="checkbox"/> National Probation Service (NPS)</p> <p><input type="checkbox"/> Community Rehabilitation Companies (CRCs)</p> <p><input type="checkbox"/> Other Providers of Probation and Community Services</p> <p><input type="checkbox"/> Governors</p> <p><input type="checkbox"/> Heads of Groups</p> <p><input type="checkbox"/> NOMS Rehabilitation Contract Services Team</p> <p><i>* If this box is marked, then in this document the term Governor also applies to Directors of Contracted Prisons</i></p>	
Instruction type	HR function/legal compliance	
For information	All NPS staff	
Provide a summary of the policy aim and the reason for its development / revision	<p>Update March 2017 - Amendments to document are Annex B NPS Accident/Incident recording form and Policy Lead contact details.</p> <p>Employers are required to record, report and investigate accidents and injuries arising from their work to staff and others to whom they have a duty of care.</p> <p>This is a new procedure specifically for the NPS which sets out processes staff and managers should follow for reporting, recording and investigation of work place accident, injury and ill-health.</p>	
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Associated documents	PI 03/2015 Policy, Organisation And Summary Arrangements For The Management Of Health And Safety; PI 01/2014 Reviewing And Reporting Deaths Of Offenders Under Probation Supervision In The Community; PI 32/2014 Approved Premises and PI 32/2014 Annex A Approved Premises Manual;	

	PI 12/2015 Health and Safety Arrangement for the Management of Violence and Aggression in the Workplace PI 18/2015 Health and Safety Arrangement for Risk Assessment PI 11/2016 -Management of Fire Safety in Probation Premises
Replaces the following documents which are hereby cancelled: None	
Audit/monitoring: Mandatory elements of instructions must be subject to management checks (and may be subject to self or peer audit by operational line management), as judged to be appropriate by the managers with responsibility for delivery. In addition, NOMS will have a corporate audit programme that will audit against mandatory requirements to an extent and at a frequency determined from time to time through the appropriate governance.	
Introduces amendments to the following documents: Amendments to document are Annex B NPS Accident/Incident recording form and Policy Lead contact details.	
Notes: <i>All Mandatory Actions throughout this instruction are in italics and must be strictly adhered to.</i>	

CONTENTS

Section	Subject	For reference by:
1	Executive summary	All Staff
2	Operational Instructions	
2.1	Reporting & recording accidents, incidents and near misses	All Staff
2.7	Reporting of serious accidents/incidents	All Staff
2.14	Processing of completed report forms	Managers
2.22	Managerial investigations	Managers
2.31	Rivo data management and reports	Managers
3	Policy and strategic context	All Staff
4	Guidance	All Staff
Annex A	Definition of an accident/incident/near misses	All Staff
Annex B	NPS accident/incident/near miss report form	All Staff
Annex C	Guidance on the external reporting of accidents and incidents	Managers
Annex D	Guidance for the out of hours reporting of serious accidents and incidents	On Call Managers
Annex E	Investigatory level matrix	Managers
Annex F	Accident/incident investigation guidance	Managers

1. Executive summary

Background

- 1.1 This instruction is one of a number of Probation Instructions (PIs) which forms part of NOMS' (NPS) Health and Safety Management Arrangements as required by the Health and Safety at Work Act and subsidiary legislation. It is a legal requirement for these arrangements to be brought to the attention of all employees.
- 1.2 Work-related injuries and ill health have a direct adverse impact on the lives of those injured. They also have a detrimental effect on NPS' organisational performance and sickness absence levels. Together with the costs of personal injury claims, brought by staff and offenders, the costs that result from workplace accidents are potentially significant.
- 1.3 An effective accident/incident reporting, recording and investigation process can significantly contribute to a successful health & safety management system and can reduce the likelihood and impact of such events.
- 1.4 This arrangement outlines the key duties to be undertaken by staff and managers reporting and recording work place accident, injury and ill-health to employees and third parties.
- 1.5 It also clarifies expectations around levels of investigation, the quality of internal reports and the statutory criteria for reporting events externally commensurate with the severity (potential or actual) of the incident.

Desired outcomes

- 1.6 Accidents/incidents are promptly and accurately recorded and reported by those responsible for doing so (see 2.1-2.21).
- 1.7 Initial reports are made as quickly as practicable following an incident by injured parties or their representatives to the appropriate manager.
- 1.8 Records and reports, both external and internal are thorough, proportionate and relevant to the incident.
- 1.9 Investigations are proportionate to the significance and potential severity of the incident and its likelihood of recurrence in line with defined criteria in [Annex E](#).
- 1.10 Criteria for determining whether an incident is statutorily reportable are rigorously applied and all such statutory reports are scrutinised at Divisional level and investigated appropriately (see [Annex C](#) & [Annex E](#)).
- 1.11 Accident/incident management information is reported quarterly and meaningfully to inform management decisions.

Application

- 1.12 This Instruction applies to all NPS staff and to all agency, partnership or other staff working on behalf of NPS and any reference to staff in this policy should be taken to include all these persons.

- 1.13 This instruction applies to any work related accident, incident, work-related ill-health or near miss (see [Annex A](#) for a full list and definitions).
- 1.14 *All staff must read and follow the mandatory actions (1.17-1.19) and the operational instructions for reporting and recording accident, incidents and near misses (section 2.1-2.6) and reporting of serious accidents/incidents (section 2.7-2.13)*
- 1.15 *All Managers must read and follow the mandatory actions relevant to their role (sections 1.20-1.25) and implement the operational instructions for responding to initial reports and subsequent investigations (sections 2.4-2.30).*
- 1.16 *NOMS Divisional Leads: Health, Safety and Fire (DL-HSF) must read and follow the mandatory actions (1.26-1.29) and the relevant parts of the operational instructions for statutory reporting, processing of forms, managerial investigation and RIVO data management (sections 2.10, 2.20-2.21 and 2.31-2.37).*

Mandatory Actions

All Staff

- 1.17 *All staff must report ALL accidents, incidents, work-related ill-health and near misses to their line manager in accordance with the procedures and timescales specified in the operational instructions 2.1-2.6 using the NPS accident/incident form ([annex B](#)).*
- 1.18 *All staff must verbally report serious accidents/incidents in accordance with the procedures and timescales specified in the operational instructions 2.7-2.13.*
- 1.19 *All staff must co-operate with relevant accident/incident investigations and in the implementation of risk control measures.*

Line Managers or Managers in Charge of Injured Parties

- 1.20 *Line Managers must ensure that all staff (including agency and partnership staff) are aware of the procedures and timescales for reporting accident/incidents set out in this policy.*
- 1.21 *Line Managers must ensure that they take the appropriate action on receipt of verbal notification of a serious accident/incident and on receipt of completed accident/incident report forms in accordance with the procedures and timescales specified in the operational instructions (see 2.4-2.19).*
- 1.22 *Line Managers must ensure that for all reported accidents/incidents they undertake the appropriate level of investigation and evidence collation (dependent on the severity or potential severity of the accident/incident), in accordance with the procedures and timescales specified in the operational instructions (see 2.22-2.30).*

Heads of Clusters/Public Protection/Shareholder Engagement

- 1.23 *These Managers must monitor the implementation of this arrangement in areas under their control to ensure that all reports and investigations are made within relevant time limits specified in the operational instructions 2.1-2.30 and to a satisfactory quality and reliability.*
- 1.24 *For more complex investigations, particularly where enforcing authorities are involved, these managers will co-ordinate and expedite investigations ensuring that the relevant lines of inquiry are followed up and implemented actively supported by the relevant NOMS Divisional Lead Health, Safety and Fire.*

The Divisional Hub Admin Manager

PI 13/2015

UPDATE ISSUED 01/03/2017

- 1.25 *The Divisional Hub Admin Manager must ensure that the H&S functional mail box is monitored daily for newly submitted accident/incident reports forms and the details are entered onto RIVO in accordance with the procedures and timescales specified in the operational instructions (see 2.19-2.21).*

NOMS Divisional Leads Health, Safety and Fire (DL-HSF)

- 1.26 *The DL-HSF must ensure that all statutory reports required under Reporting of Injuries, Diseases and Dangerous Occurrence Regulations 2013 (RIDDOR) are made in accordance with the procedures and timescales specified in the operational instruction (see 2.10 and [Annex C](#)).*
- 1.27 *They must provide assurance to the relevant Deputy Director that an effective and accurate reporting, recording and investigation system is operating in the Division in line with this PI.*
- 1.28 *They will provide direct support as required in more complex investigations.*
- 1.29 *They must provide professional support to the Business Administrator Specialist: Health, Safety and Fire (BAS:HSF) in the operation of the RIVO system and the production of accident/incident statistic reports.*

Resource Impact

- 1.30 The reporting, recording and investigation of accidents and incidents is already part of the business arrangements for managing health and safety. This policy serves to standardise accident/incident management process across NPS and to clarify who is responsible for carrying out different aspects of this area of work and therefore should not have any significant impact on resources.

(Approved for Publication)

Carol Carpenter
Director of Human Resources, NOMS

2. Operational instructions

These operating instructions detail the process for accident/incident reporting investigation and data processing/management.

It is important to note that while all accidents/incident are reported on an NPS form, more serious accidents/incidents also need to be promptly reported verbally to ensure that necessary external reports can be made to the Health and Safety Executive in accordance with statutory timescales.

Reporting and recording accidents, incidents and near misses

- 2.1 *On the occurrence of an accident, incident or near miss the staff member(s) affected/involved must complete the on line NPS accident/incident report form (available on the NPS intranet) and email it to their line manager/supervisor by the end of the next working day;*
- 2.2 *For accidents/incidents involving offenders, visitors or others who do not have access to the on line form; the supervising staff member must complete this on their behalf and give them a print out on request. The staff member must then email the completed form to their line manager/supervisor by the end of the next working day.*
- 2.3 *If offenders or visitors insist on completing the form themselves, they must be given a printed copy of the blank NPS form and once completed a copy must be taken and forwarded by the supervising staff member to their line manager/supervisor by the end of the next working day.*
- 2.4 *In the event that the affected/involved staff member is unable to complete an accident/incident form, their line manager or manager in charge must complete the form on their behalf.*
- 2.5 *In the event that a staff member suffers work-related ill-health, s/he must contact their line manager as soon as the ill-health becomes apparent and the line manager must ensure the details are recorded on the NPS accident/incident form.*
- 2.6 *In the event of a sickness absence that maybe related to workplace injury or ill-health, the affected staff member must notify their line manager as soon as possible and the line manager must ensure that the incident or circumstances giving rise to the absence are recorded on the NPS accident/incident report form together with the apparent cause of the absence.*

Reporting of serious accidents/incidents

- 2.7 The following are defined as serious accidents or incidents requiring prompt verbal reporting:
 - Death of any person due to work related causes
 - Specified injuries (as defined by RIDDOR - see [Annex C](#))
 - Accidents resulting in a staff member having time off work
 - Accident involving any person being taken to hospital
 - Threats with an offensive weapon
 - Specific and credible threats with intent to kill
 - Discovery of explosives, firearms, ammunition or suspect packages
 - Dangerous occurrence (as defined by RIDDOR - see [Annex C](#))
 - Notification by a medical practitioner of an occupational disease (as defined by RIDDOR - see [Annex C](#))

- 2.8 *In the event of a serious accident or incident, once the appropriate actions to deal with the incident have been taken including as necessary summoning of the emergency services, the affected, involved or supervising staff member must verbally report the accident/incident without delay to their line manager/supervisor (or in their absence the senior person on site or the line manager's manager).*
- 2.9 *On receipt of verbal notification of a serious accident/incident the Line Manager/supervisor (or senior person on site) must ensure that the necessary first aid and/or remedial actions have been taken including summoning of the emergency services as necessary and then report without delay the serious accident/incident by phone to the NOMS HSF Divisional Lead (or if unavailable their nominated alternative contact).*
- 2.10 *The NOMS HSF Divisional Lead must assess the circumstances of the reported serious accident/incident and as necessary make the relevant external report to the HSE or police as appropriate.*
- 2.11 *Outside normal office hours, the staff member must verbally report the accident/incident without delay to the duty manager who will make the relevant external report (see [Annex D](#) - Guidance for out of hours managers).*
- 2.12 *The affected, involved or supervising member of staff must then complete the on line NPS accident/incident report form and email it to their line manager/supervisor by the end of the next working day;*
- 2.13 *In the event that the affected, involved or supervising staff member is unable to complete the form, the line manager or manager in charge must complete the form on their behalf.*

Processing of completed report forms

- 2.14 *On receipt of an accident/incident from a member of staff, the Manager must, within 10 working days of the date of the accident/incident, complete the managerial section of the form and forward it to the Divisional H&S functional mail box having confirmed the accuracy of the details recorded, checked the site/equipment involved (if applicable) and commenced an investigation as required.*
- 2.15 *The aim of the managerial section of the form is to verify the recorded details, log the immediate remedial action taken and ensure any evidence that may be lost with the passage of time is noted and retained/recorded where possible.*
- 2.16 *It also enables the recording of the initial investigations undertaken by the line manager. For many low level incidents the initial investigation will be all that is needed and can be completed within the 10 working days. *However where a more detailed investigation is required, the forwarding of the form must not be delayed beyond the 10 working days of the date of the accident/incident.**
- 2.17 *If verification or investigations have not been completed the manager must record this on the form and forwarded it in accordance with 2.14 above. Further investigations details and follow up will then be managed via RIVO.*
- 2.18 *Where a manager receives an accident/incident report later than 10 working days after the date of the accident/incident (even where this a substantial gap), the manager must still process the form in accordance with 2.14-2.17, noting any issues relevant to the late submission on the managerial section of the form.*

- 2.19 *The Divisional Hub Admin Managers must ensure the Divisional H&S mail box is checked daily and any newly submitted forms are entered onto RIVO within 5 working days of receipt.*
- 2.20 *The Divisional BAS:HSF must review the new RIVO entry, determine whether further information/investigation is required and as necessary allocate it to the relevant manager within 5 working days of entry onto RIVO.*
- 2.21 RIVO will then be used to coordinate and record any further investigation details, assign further follow up and actions to managers and retain any additional reports, record etc relevant to the accident/incident.

Managerial investigation

- 2.22 *Line managers must undertake an appropriate investigation for ALL reported accidents, incidents, and near misses.*
- 2.23 In many cases the manager's initial investigation and submission via the managerial section of the report form will be sufficient.
- 2.24 *Where further investigation is needed, the manager will receive an alert email and an entry will appear in "My actions list" of RIVO. The line manager must then take steps to investigate the incident and gather and record as much relevant information as is appropriate.*
- 2.25 *The depth of the investigation must be proportionate to the actual or potential severity of the event. Managers must not be expected to waste time investigating or gathering excessive information around trivial or insignificant incidents. For example, a trip on a well-lit and maintained path does not demand the same level of investigation as a trip on an unfenced roof-edge, irrespective of the injury arising. An accident/incident investigation matrix indicating the levels and types of investigation is available in [Annex E](#).*
- 2.26 The following factors should be taken into consideration when deciding on the extent of the investigation to be conducted:
- The actual or potential type and severity of injury/damage
 - Whether the accident/incident is as a result of a new process which may have caused implications in other areas
 - The extent to which material affected the accident/incident e.g. machinery, work equipment, hazardous substances and causing damage or loss
 - The possibility of a breach of the law or NPS policy/procedures
 - Whether the injury or occurrence is notifiable/reportable to the HSE
 - There appears to be a trend of similar low severity accident/incidents
- 2.27 *Investigations are normally to be led by the line manager (or manager in charge of the work area/work activity), although for the most serious accident/incidents the investigation must be lead by a Senior Manager.*
- 2.28 *Managers must ensure that remedial measures identified as necessary following an investigation are effectively actioned including reviewing and updating offender risk management plans for incidents of offender violence.*
- 2.29 Subject to the severity of the accident/incident or complexity of the investigation, competent advice and support can be sought from the DL-HSF/BAS:HSF.
- 2.30 The HSE and/or Police may carry out their own investigation into RIDDOR reportable accident/incidents and work related deaths etc. Internal investigations can carry on at the

same time as these external investigations with agreement of the Senior Investigating Officer. Managers and DL-HSF should be familiar with the workplace deaths protocol in which police and HSE reach agreement as to the lead on investigations.

Rivo data management and reports

- 2.31 RIVO will be the main source for NPS accident/incident performance analysis and as such it is important the data is accurate and updated as necessary.
- 2.32 *The BAS:HSF must actively monitor RIVO on a regular basis checking the quality and range of information submitted and as necessary correcting or obtaining any missing information*
- 2.33 *The BAS:HSF must actively monitor the progress of accident/incident investigations, ensuring completion within reasonable time scales.*
- 2.34 *Where, following investigation, it becomes apparent an injury or ill health was not related to the workplace or a work activity (e.g. medical incidents, self harming etc), the BAS:HSF will reassign it as 'not related to work/a work activity' so that it does not appear in workplace accident/incident statistics/reporting.*
- 2.35 Records will still be available, however, within the RIVO, should NPS need to respond to a civil litigation claim in the future.
- 2.36 Only persons with appropriate access rights (e.g. BAS:HSF or DL-HSF) can see, and later change, the relevant part of the accident/ill health form. Managers will not be able to see this part of the accident/ill health form.
- 2.37 *The BAS:HSF will provide quarterly statistical analysis reports for Divisional H&S Committee and H&S Groups and other ad hoc reports on request.*

3. Policy and strategic context

- 3.1 This Instruction is one of a number of Probation Instructions (PIs) which forms part of NPS Health and Safety Management Arrangements to ensure compliance with the Health and Safety at Work Act and subsidiary legislation.
- 3.2 Specifically, this PI aims to clarify roles in respect of accident/incident reporting, recording and investigation and achieve a higher quality of accident MI and litigation case data. It is also intended to ensure that only relevant statutorily reportable incidents are reported as such.
- 3.3 The NPS accident/incident report form (example at [Annex B](#)) complies with the requirements of Regulations 24 and 25 of the 'Social Security (Claims & Payments) Regulations 1979 and also provides the information required for reporting to the HSE if necessary. The use of the NPS accident/incident form removes the need for additional recording of accidents in the traditional 'Yellow Accident Book' (BI510) and therefore NPS sites do not need to have such books available on site.
- 3.4 It is a legal requirement for these arrangements to be brought to the attention of all employees.

4. **Guidance**

Detailed guidance is provided in the Annexes as follows:-

- [Annex A](#) – Definitions of accidents, incidents and near misses
- [Annex B](#) – NPS accident/incident/near miss report form
- [Annex C](#) – Guidance on the external reporting of accidents and incidents
- [Annex D](#) – Guidance for the out of hours reporting of serious accidents and incidents
- [Annex E](#) – Investigatory level matrix
- [Annex F](#) – Accident/incident investigation guidance

Definitions of accidents, incidents and near misses

The following events are classified as accidents/incidents and accordingly should be recorded and reported in accordance with this policy:-

- Death arising from work related causes¹
- All injuries to persons from any work related cause
- Work related ill health, work related upper limb disorders and occupational diseases (as defined by RIDDOR - see [Annex C](#)). (NB work-related ill-health does not include colds, flu, flea bites etc. simply because they are believed to have been contracted at work)
- Physical assault on NPS staff (including agency and partnership working on behalf of NPS) by an offender, visitor or member of the public
- Abuse, threats or intimidation of NPS staff (including agency and partnership working on behalf of NPS) by an offender, visitor or member of the public, irrespective of whether injury has occurred, including:-
 - verbal abuse, threats or aggression,
 - sexual, racial, homophobic, religious insults or abuse,
 - any incident where the non-employee's attitude, whilst not overtly aggressive, causes staff to feel intimidated or uncomfortable
- Any hostage situation
- Discovery of explosives, firearms, ammunition or other offensive weapons
- Dangerous Occurrences (as defined by RIDDOR - see [Annex C](#))
- Any outbreak of fire and any fire related incident whether attended by the Emergency Services or not, e.g. fire alarm activations (including false alarms), failures of fire protections systems etc
- Failures of Personal Assistance Alarm system
- Exposure to blood, body fluid or contagious diseases
- Bomb threats
- Malicious damage to Ministry of Justice (MoJ) property with H&S implications
- Infestation (e.g. of cockroaches, rats, fleas, lice etc)
- Road traffic accident or incidents when travelling on NOMS business, but not when travelling to or from work
- Self harm by service users when on NOMS/MoJ premises or under the direction supervision of the NPS
- Any other near miss, unsafe condition or potential risk where harm could occur

N.B. this is not an exhaustive list and it is the policy of the NPS to encourage reporting of any accident/incidents including near misses that do not meet these definitions.

¹ Deaths of offenders under NPS supervision that are not work related (e.g. suicides, drugs overdose, medical conditions) are covered by separate reporting arrangements (see PI 01/2104 and PI 32/2014) and do not required to be reported under this arrangement.

NPS accident/incident/near miss report form

Section 1 About the person who is making the report

Full Name	
Occupation / Job Title	Please Select
Contact Number	
Work Address	

Section 2 About the affected person

Full Name(s)		Type (staff)	Please Select
Occupation / Job Title	Please Select		
Grade / Pay Band	Please Select	Employee Number	
Date of Birth (01/01/16)		Gender	Please Select
Ethnicity	Please Select	Disability	Please Select
Division:	Please Select	Cluster	Please Select
Building (Enter in work address if not listed)	Please Select	Work Address	
Contact Number		Line Manager	
For the injured Person only: I give my consent to my employer to disclose my personal information and details of the accident which appear on this form to safety representatives and representatives of employee safety for them to carry out the health and safety functions given to them by law (Please Select)			Please Select

Section 3 About the accident, incident or ill health

Date (01/01/16)		Time (24 hrs 00:00)	
Division (of incident):	Please Select	Cluster (of incident):	Please Select
Building (Enter in work address if not listed)	Please Select	Address (of incident):	
Location of the Accident / Incident (ie room name)			
Nature of injury	Please Select		
Cause / Sub cause	Please Select	Sub Cause	Please Select
Full Description:			
Injured body part	Please Select		
CRN / Delius Number			
Did this incident result in lost work time over seven consecutive days?	Please Select	Number of days lost	0
First day of absence		Return to work date	

Section 4 Immediate remedial actions

Has any immediate actions been taken to prevent a reoccurrence? (If yes, describe:)	Please Select

Section 5 In case of an occupational disease (e.g Hepatitis, RSI, TB)

Name of Occupational disease/condition	Please Select
What date was the condition diagnosed by a doctor?	
What is the name and address of that doctor?	
Note any special circumstances that could have contributed to the condition.	

Section 6 Witness Statement

Are there witness(es) to this accident/ incident:	Please Select
Name(s) of witness(es):	
Witness form (available on equip) completed in each case?	Please Select

Section 7 Managerial follow up / investigation

Have you confirmed the details recorded are accurate? (if no describe)	Please Select
Have you checked the site of the incident or equipment involved?	Please Select
Details of follow up / investigation actions	

Further action	
Action taken by local management (description of action in section 7)	Please Select
Risk Assessment Review	Please Select
No further action needed	Please Select
Police contacted	Please Select
Police Reference Number	
Reported to FM helpdesk	Please Select
Work Order Number	
Referred to HSF Team	Please Select
Referral to Counselling Service	Please Select

Where applicable please indicate any external reporting, consultation or feedback provision	
HSE RIDDOR report	Please Select
RIDDOR Reference Number	
Partner organisations informed (specify eg name of CRC manager in shared premises)	Please Select

Line managers full name	
Occupation / Job Title	
Contact Number	
Date	

Guidance on the external reporting of accidents and incidents

Health and Safety Executive (HSE)

In accordance with the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations 2013 certain accident/incidents must be reported to the HSE.

The following are definitions of accident/incidents that require reporting to the Health and Safety Executive in accordance with RIDDOR.

Deaths

All deaths of workers and non-workers if they arise from a work-related accident/incident, including an act of physical violence to a worker but are NOT due to suicides, drugs overdoses or medical conditions.

Lost Time Accidents/Incidents

Accidents/incidents which result in an employee being away from work, or unable to perform their normal work duties (i.e. on light duties), for more than seven consecutive days as the result of their injury.

This seven day period does not include the day of the accident/incident, but does include weekends and rest days.

Specified Injuries

Accident/incidents resulting in the following injuries:-

- 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) which:
 - covers more than 10% of the body
 - causes significant damage to the eyes, respiratory system or other vital organs
- 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
 - requires resuscitation or admittance to hospital for more than 24 hours

Non-fatal accidents/incidents to non-workers (e.g. members of the public)

Accidents/incidents to members of the public or others (including offenders) who are not at work if they result in an injury and the person is taken directly from the scene of the accident to hospital for treatment to that injury.

Exemptions

The following are exempt from RIDDOR reporting requirements:-

- Accidents involving a moving vehicle on a public road (ie when travelling on NPS business)
- Where a non employee was taken to hospital:-
 - Due to a medical incident (e.g. fit, fainting, chest pains etc) even if the medical incident lead to an injury (e.g. a person bangs there head when fainting)
 - For an examination or diagnostic test, as these do not constitute 'treatment' in such circumstances
 - Purely as a precaution
 - When no injury is apparent

Dangerous Occurrences

The following is a selected list of incidents that are defined as “dangerous occurrences” by RIDDOR and could feasibly occur within NPS premises or work activities. The full listing of RIDDOR “dangerous occurrences” is available from the HSE website (www.HSE.gov.uk). 2013.

- the collapse, overturning or failure of any load-bearing part of any lifting equipment, other than an accessory for lifting.
- failure of any closed vessel or of any associated pipe work (other than a pipeline) forming part of a pressure system as defined by regulation 2(1) of the Pressure Systems Safety Regulations 2000(1), where that failure could cause the death of any person
- any explosion or fire caused by an electrical short circuit or overload (including those resulting from accidental damage to the electrical plant) which either:-
 - a) results in the stoppage of the plant involved for more than 24 hours; or
 - b) causes a significant risk of death.
- the complete or partial collapse (including falling, buckling or overturning) of:-
 - a) a substantial part of any scaffold more than 5 metres in height;
 - b) any supporting part of any slung or suspended scaffold which causes a working platform to fall (whether or not in use); or
 - c) any part of any scaffold in circumstances such that there would be a significant risk of drowning to a person falling from the scaffold.
- the unintentional collapse or partial collapse of:-
 - a) any structure, which involves a fall of more than 5 tonnes of material; or
 - b) any floor or wall of any place of work, arising from, or in connection with, ongoing construction work (including demolition, refurbishment and maintenance), whether above or below ground.
 - c) the unintentional collapse or partial collapse of any falsework.
- any unintentional explosion or fire in any plant or premises which results in the stoppage of that plant, or the suspension of normal work in those premises, for more than 24 hours

Occupational diseases

Diagnoses of certain occupational diseases where they are likely to have been caused or made worse by work and include:

- Carpal Tunnel Syndrome: where the person’s work involves regular use of percussive or vibrating tools;
- Cramp of the hand or forearm: where the person’s work involves prolonged periods of repetitive movement of the fingers, hand or arm;
- Occupational dermatitis: where the person’s work involves significant or regular exposure to a known skin sensitiser or irritant;
- Hand Arm Vibration Syndrome: where the person’s work involves regular use of percussive or vibrating tools, or holding materials subject to percussive processes, or processes causing vibration;
- Occupational asthma: where the person’s work involves significant or regular exposure to a known respiratory sensitiser;
- Tendonitis or tenosynovitis: in the hand or forearm, where the person’s work is physically demanding and involves frequent, repetitive movements.
- In addition, cases of cancer (where there is an established causal link between the type of cancer diagnosed and the hazards to which the person has been exposed through work) and any acute illness needing medical treatment where it is attributable to a work-related exposure to a biological agent.

Reporting

Reports should normally be made on line via the appropriate on line reporting form available on <http://www.hse.gov.uk/riddor/report.htm>.

A telephone service is provided (via the Incident Contact Centre on 0845 300 9923), but this is only available during office hours (Monday to Friday 8.30 am to 5 pm), only for reporting fatal and specified injuries (as defined earlier in this annex) and still requires follow up reporting using the on line form as above.

The NOMS Divisional Lead, Health, Safety and Fire is responsible for reviewing potentially reportable incidents and where necessary making the appropriate report to the HSE.

Exception to this is for serious accidents/incidents that occur outside of normal office hours, which may need to be reported by the On Call Manager (see [Annex D](#))

Police

All deaths if they arise from a work-related accident/incident, including an act of physical violence and serious accidents/incidents involving road traffic accidents may require reporting to the police.

Reports to the police should normally be made by the appropriate local manager by phone to the local police and followed up in email or writing as instructed.

Certain incidents may require reporting to the police for immediate support or further investigation/action. The line manager should assess each case and report as required.

- Physical assault
- Specific and credible threats with intent to kill
- Threats involving an offensive weapon
- Discovery of explosives (including in suspect packages), firearms or ammunition
- Discovery of any other offensive weapons
- Bomb/terrorist threats
- Incidents with a requirement for urgent police intervention or a return to custody

NB Deaths to offenders under NPS supervision that are not work related (e.g. suicides, drugs overdose, medical conditions) are covered by separate external reporting arrangements (see PI 01/2104 and PI32/2014) and do not required to be reported under this arrangement.

ANNEX D

Guidance for the out of hours reporting of serious accidents and incidents

Out of hours the On Call Manager may receive notification of a serious accident or incident.

The serious accidents/incidents below may require rapid reporting to external authorities (HSE, Police, NOMS):-

- Death of any person occurring as a result of NPS activities, premises or work, including violent assaults and road traffic accidents;
- Discovery of explosives (including in suspect packages), firearms or ammunition.

On receiving notification of any of the above the On Call Manager will ensure that the necessary immediate local actions have been taken including summoning of the emergency services as necessary and provide support to the person(s) on site until a manager arrives to take charge.

The On Call Manager will then report the accident/incident to the relevant authorities as below:-

Nature of Accident/Incident	External authority	Contact details
Death of any person from a work related reason	HSE	HSE - On line (www.HSE.gov.uk/riddor.htm) or via the duty officer (0151 922 9235).
	Police	
Discovery of explosives, firearms or ammunition.	NOMS	Police - Dependant on location of accident/incident.
		NOMS - Home Office Switchboard: 0870 000 1585: 'for the attention of the Home Office Duty Officer'

The On Call Manager will then notify the On Call Duty Senior Manager.

The On Call Duty Senior Manager will review the accident/incident and actions taken with the On Call Manager and advise of any further actions as necessary.

The On Call Duty Senior Manager will then inform the Divisional Deputy Director and as necessary the Director of Probation Services and NOMS Senior H&S Adviser (NPS).

On receiving notification of any other serious accidents/incidents, the On Call Manager will confirm with the persons on site that the necessary first aid and/or remedial actions have been taken, the location/equipment has been preserved and quarantined and provide any further advice required.

The On Call Manager will then send an email to the relevant Cluster Head confirming the nature of the accident/incident, action taken and advice given.

NB Deaths to offenders under NPS supervision that are not work related (e.g. suicides, drugs overdose, medical conditions) are covered by separate reporting arrangements (see PI 01/2104 and PI32/2014) and do not required to be reported under this arrangement.

Investigatory Response Levels Matrix

Severity	Investigation Level and Time Limit	Carried out by	Report to
<p><u>Low severity</u> Ranging from no injury to injuries resulting in minor first aid treatment and possibly some ongoing self-treatment but not requiring any professional medical treatment of the victim. (NB. A precautionary check-up by a nurse or doctor is not treatment for these purposes, even if at a hospital).</p>	<p><u>Low Level</u> Record details of significant finding and remedial action in managerial section of NPS accident/incident report form</p> <p>Complete within 3 days of notification</p>	<p>Line management and injured party</p> <p>BAS:HSF to check completeness and quality of record (via RIVO) and assess need for additional information if required.</p>	<p>No individual reports needed submission of NPS accident form is sufficient.</p> <p>Include in quarterly Cluster summary of levels and patterns to Head of Cluster & Cluster H&S group.</p> <p>Comparative look at overall patterns across Division at HSF Committee and SMT</p>
<p><u>Medium severity</u> A broad category between low and high, probably requiring professional medical treatment of the victim (excluding a precautionary check up) and probably with short to medium term incapacity from which they will fully recover</p>	<p><u>Medium Level</u> Complete relevant RIVO investigation record. Additional supporting documentation e.g. Photographs, sketches, witness statements etc to be attached as related document to RIVO entry.</p> <p>HSE may also choose to investigate</p> <p>Complete within 7 days of notification</p>	<p>Line managers with support from DL-HSF/BAS:HSF as relevant. Oversight from Line Manager's Manager</p>	<p>Line Manager's Manager</p> <p>Investigation/remedial action summary reports to Head of Cluster & Cluster H&S group in quarterly reports.</p> <p>Discuss report at local H&S Committee and SMT</p>
<p><u>High severity</u> Fatality* or major injury (or multiple injuries) probably requiring urgent or intensive medical treatment of the victim(s), possibly ongoing and likely debilitation or loss of physical or mental capacity.</p> <p>* Investigations of offender's deaths whilst under NPS supervision will be undertaken in accordance with PI 01/2014 & 32/2014.</p>	<p><u>High Level</u> Fully documented investigation undertaken by investigatory team</p> <p>HSE may also choose to investigate</p> <p>Internal Report completion time 28 days subject to SIO, Coroner, HSE lead.</p>	<p>Divisional team appointed by Deputy Director, to be lead by appropriate Senior Manager and to include Divisional Lead, HSF.</p> <p>Support and involvement from National HSF Policy Team</p>	<p>Deputy Director.</p> <p>Full report to Deputy Director, relevant Head of Cluster and Divisional Lead HSF.</p> <p>Discuss progress and final report at local H&S Committee and Senior Management Team meetings.</p> <p>Discuss final report at Regional SMT and National NEMC Sub-Committee</p>

Accident/Incident Investigations Guidance

The objective of any investigation should be to determine what events or possible shortfalls in training, management or procedures, if any, lead to the accident/incident. The objectives of investigation are to:

- Reduce accidents/incidents and staff ill health
- Ascertain immediate and underlying causes
- Review the adequacy of the policy and measures in place for discharging the policy
- Introduce measures to prevent reoccurrence
- Reassure the workforce that safety is taken seriously
- Satisfy legal reporting and investigation requirements
- Ensure risk assessments are suitable and sufficient or adequate.

All accidents/incidents and near misses should be investigated by the line manager responsible for the area, with appropriate support from specialists, including Divisional HSF Leads. "Area" includes communal areas i.e. internal and external roads/pathways, corridors, stairways etc. This is an integral part of the proper management of health and safety. Only when both the immediate cause and the underlying systems failure, if any, are identified and remedial action taken by local management can our accident/incident record improve.

The requirement to carry out an investigation is a line management responsibility. Divisional Business Administrator Specialist: HSF and/or Divisional HSF Leads may be called upon to provide advice and assistance in determining underlying causes. It is particularly important that professional advice from HQ HSF Team and Divisional HSF Lead be called upon as soon as possible after a fatality or an incident involving multiple major injuries.

Those managing or conducting investigations should consider appropriate levels of consultation and engagement with safety representatives as per legislation.

Interviews are to be conducted promptly before details fade or become confused and in a place where the injured person or witness feels comfortable. This, of course, depends on the condition of the injured person and witnesses. Always ensure that appropriate First Aid or medical treatment is rendered before trying to conduct the interview. The injured person should not be interviewed unless fit to do so

Levels of investigation

All accidents, incidents, dangerous occurrences and near misses should be investigated. The depth of the investigation will vary according to the outcome or potential outcome. An accident/incident investigation matrix indicating the levels and types of investigation is available in [Annex E](#).

The following factors should be taken into consideration when deciding on the extent of the investigation to be conducted:

- The actual and potential type and severity of injury/damage
- Whether the accident/incident is as a result of a new process which may have caused implications in other areas
- The extent to which material affected the accident/incident and caused damage or loss e.g. machinery, work equipment, hazardous substances
- The possibility of a breach of the law or NPS policy/procedures
- Whether the injury or occurrence is notifiable/reportable to the HSE

- There appears to be a trend of similar low severity incidents

Investigations are to be led by the line manager (or if relevant the manager in charge of the area where the accident/incident occurred or the manager in charge of the work activity). The process may require competent advice to be sought from other persons. These may include HR Business Partners, MoJ Estates Managers, Divisional HSF Leads, BAS: HSF, etc.

The HSE and/or Police may carry out their own investigation into RIDDOR reportable accidents/incidents and work related deaths etc. Internal investigations can carry on at the same time as these external investigations with agreement of the Senior Investigating Officer. Managers and DL-HSF should be familiar with the workplace deaths protocol in which police and HSE reach agreement as to the lead on investigations.

Conducting an investigation

Part of the investigation process is to identify the level of investigation required. There are three sources of information available to investigators. These are:

- Direct observation of the accident/incident scene;
- Interviews with the parties involved which provide an opportunity to check back on any issues arising from the examination of the physical and documentary evidence
- Documentary evidence, which enables the investigator to establish what should have happened through procedures, risk assessments, identified control measures, safe systems of work etc.

Direct Observation

The accident/incident site should be visited as soon as practicable to prevent any relevant evidence being removed or cleaned up. However, the safety of the investigator should also be considered and if there is any doubt whether the area is safe to enter then access to the site should be controlled until a competent person has assessed the site as safe to enter.

- Assess the risks of entering the area, determine whether any special precautions are required, e.g. Personal Protective Equipment
- When examining the site every effort should be made to preserve the evidence and to avoid possible contamination or destruction. Subsequent investigation authorities must be advised if the scene of the accident is not safe to preserve intact.
- Record physical details – these are to be recorded as seen and not as detailed in plans or other documentation. Look around and note anything of importance such as trip hazards, protrusions, accumulation of rubbish etc. Also take any photographs, measurements necessary and produce a simple sketch if considered appropriate

Interviews

Interviews are to be conducted promptly before details fade or become confused and in a place where the injured person or witness feels comfortable. This, of course, depends on the condition of the injured person and witnesses. Always ensure that appropriate First Aid or medical treatment is rendered before trying to conduct the interview. The injured person must not be interviewed unless fit to do so. If the injured person is fit to answer questions, adopt the following approach:

- Put the person being interviewed at ease, and conduct the interview in a calm and objective manner. Try to be sympathetic, honest and courteous
- Ask them to verify what happened in their own words and take notes – you should repeat back key points at the end of the interview to check the details are correct.

- Do not ask leading questions, interrupt or argue
- Check the answers against your own observations and the review of documentary evidence

Adopt a similar approach with witnesses. Distinguish between fact and opinion and remember that eyewitnesses are not always reliable. If there is more than one eyewitness interview them separately.

To assist in the compilation of the investigation report it may be prudent to obtain written statements from the injured person and eyewitnesses. These may be included as annexes to the report.

Some personnel may have concerns that the provision of a statement or attending interviews' may prejudice them with regard to discipline or future litigation against the NPS. Staff may have a friend, TU or Legal representative present during the interview, subject to the manager's agreement.

Documentary Evidence

Copies of any relevant documentation should be obtained and retained as part of the investigation. The types of documentation will vary dependant on the accident/incident cause, severity of the outcome and potential for litigation.

Listed below are the types of documents required in civil litigation cases

Documents required in ALL personal injury cases:

- Accident/incident report form
- RIVO accident/injury records
- Witness statements
- Staff reports completed at the time, e.g. memoranda or logs
- HSE RIDDOR form (F2508)
- Incident Reporting System report
- Photographs
- Sketch plan of the accident site
- Risk assessment records (pre and post accident)
- All correspondence with claimant and his/her solicitors
- Reports/recommendations of health & safety professionals
- Minutes of H&S committee meetings where the matter has been considered
- PPE assessment

Additional documents required in slipping cases:

- Details of the cleaning rota in force at the time of the accident/incident
- Details of any changes to the cleaning rota following the accident/incident
- Memoranda showing whether the area was inspected. If so, how soon after the accident/incident and what were the results

Additional documents where plant/machinery involved:

- Maintenance/repair orders before and after the accident/incident
- Service history
- Details of any complaints made about the plant/machinery prior to the accident

Additional documents required in staff cases:

- Absence/sickness records
- Wage details 6 months prior to the accident including details of overtime pay and public holiday working

- Relevant extracts from the personnel file held in the Division/Cluster or SSC
- Training records for claimant

Additional documents required in offender cases:

- Individual Medical Records (subject to prisoners consent)
- Induction and training records
- Relevant documentation from Delius etc

Analysing the Evidence

Analysis of the evidence should determine:

- Any actions taken or not taken that contributed to the accident/incident
- The adequacy or absence of suitable control measures
- The immediate cause(s) of the accident/incident i.e. unsafe act or condition
- The underlying cause(s) of the accident/incident i.e. management control failings

Accident/incident Causation

Good investigations identify both immediate and underlying causes, including human factors. Immediate causes include the job being done and the people involved. Underlying causes are the management and organisation factors that explain why the event occurred. A structured approach to determining accident causation is given HSG 245 www.hse.gov.uk/pubns/books/hsg245.htm.

Investigation Findings & Report

Final analysis of the information should determine the actions required to prevent a recurrence, assign responsibilities, priorities and suggested time scales for the actions identified. The detail in the report will depend on the severity of the accident/incident.

Further Advice

Advice on the investigation of accidents/incidents can be obtained from the BAS: HSF or Divisional HSF Lead. Whilst accident/incident investigation is a line management responsibility, the assistance of the health and safety staff is to be expected on technical and legal matters and effective investigation processes.