



Accident and Incident Reporting Policy

Director Responsible

Director

Author

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31.12.2018	Michele Cleland	1 st draft of 2 nd version of policy	2
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CONSULTATION AND RATIFICATION SCHEDULE

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SMT	Oct 2020
Care Co-ordination Team	Oct 2020
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CROSS REFERENCE TO OTHER POLICIES / STRATEGIES

This policy should be read in conjunction with:	Detail
Policy 0001	Adult Support and Protection Policy
Policy 0006	Risk Assessment Policy
Policy 0003	Moving and Handling Policy
Policy 0054	Health and Safety Policy

KEYWORDS: near miss, incident, accident, de-briefing, injury, RIDDOR

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1. DEFINITIONS

Primecare Health LTD define an incident as:

“An occurrence or event which compromises safety, health and wellbeing of self and/or others”

An accident is defined by the UK Health and Safety Executive as:

“any unplanned event that results in injury or ill health of people, or damage or loss to property, plant, materials or the environment or a loss of business opportunity”.

A “Near Miss” is defined by the Health and Safety Executive as:

“an event that, while not causing harm, has the potential to cause injury or ill health.”

The Care Inspectorate in February 2012 stated the following in relation to a “Near Miss”:

“Any event that would be described as a ‘near miss’, that could have led to injury or harm to a person using a service, including any lesson learned and action taken”

2. INTRODUCTION AND LEGISLATION

This policy complies with all regulations and guidelines set out in:

- Health and Safety at Work Act 1974
- Social Security Regulations 1979
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- The Social Security (Claims and Payments) Regulations 1979
- Management of Health and Safety at Work Regulations 1999
- General Data Protection Regulation 2018
- Care Inspectorate document OPS-0212-119

Health and Safety Regulations require Primecare Health LTD to record and provide notification on ALL accidents, incidents and “near misses”, occurring in the workplace, such as:

- Injury either physically or emotionally to service users, staff or members of the public.
- Physical attack on either service users or staff
- Threatening or verbal abuse towards service users or staff.
- Challenging behaviour that requires physical intervention
- Health and Safety accidents such as chemical spillages, food poisoning
- Involvement in road traffic accidents
- Any “Near Misses” which occur
- Any other event that happens within the workplace to staff or service users that requires to be reported under Health and Safety legislation or The Scottish Executive.

The above is not an exhaustive list.

Primecare Health LTD staff may be presented with a situation that will need to be recorded for Operational or Health and Safety purposes. An Incident Form (Appendix 1) has been developed to facilitate this process and collates all necessary information for Operational and Health and Safety purposes.

Primecare Health LTD's staff will be provided with training in Incident and Accident Reporting, which stresses the importance of accurately detailing accidents, incidents, any near miss.

Primecare Health LTD's staff who are involved in an accident, incident or near miss may experience a range of emotions such as guilt, fear and a sense of failure. This is a perfectly natural reaction especially if they or others have been injured. In order to support staff and service users a de-briefing of the incident or near miss will be carried out at the earliest opportunity.

In accordance with Health and Safety regulations, all staff are required to read and sign the copy of company's Health and Safety Policy held within their workplace.

3. "NEAR MISS"

To comply with the organisational duties placed on Primecare Health Ltd under the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999, everyone involved in a "Near Miss" situation, has a duty to ensure that they record and report it accordingly.

The health and safety policy of Primecare Health clearly states that:

"All accidents, dangerous occurrences and near misses shall be investigated within 24 hours by the relevant manager, who may request advice from other specific personnel"

Under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 a "near miss" can also be designated as a "dangerous occurrence" but these are certain, specified near-miss events, for example:

- *the collapse, overturning or failure of load-bearing parts of lifts and lifting equipment*
- *plant or equipment coming into contact with overhead power lines*
- *the accidental release of any substance which could cause injury to any person*

The Care Inspectorate expanded their definition further:

"Detail of any event that is detrimental to the health and welfare of a person using a service. This should include, but not be restricted to:

- *Person leaving the service unaccompanied without permission*
- *Person given wrong medication and/or wrong dose*
- *Any incident resulting in serious injury*
- *Any incident that would be described as a 'near miss' that could have led to serious injury or harm to a service user.*

- *Any incident that could be considered as a child/ adult protection matter”*

Note: A near miss can easily be confused with an incident involving a service user. Where it is an individual’s “known behaviour” which places the individual or others at risk of injury, then it must be recorded as an incident.

Where the behaviour is sudden and not an individual’s already known behaviour and has the potential to cause injury, then it must be recorded as a “near miss”.

Failure to report or record a “near miss” can result in no action being taken to resolve the situation, ultimately resulting in a more serious accident or injury.

4. INTERNAL ACCIDENT RECORD BOOK/ REPORTING OF ACCIDENTS

To enable the company to meet the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013 and to, as far as is reasonably practicable, prevent any recurrence of accidents or injuries in the future, organisational requirements are as below and must be adhered to.

The organisation’s goals are to ensure:

- The company fully complies with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) and the notification procedures for the Care Inspectorate.
- All accidents and incidents involving injury to staff, visitors or service users are fully reported within the agreed timescale and recorded.
Note: *There is no need to report minor scratches as an accident. Where these have occurred as a result of an incident, they will be recorded through the normal Incident Report but not in the accident book.*
- All Near Misses are recorded and reported to the appropriate person
- Copies of all reports are made and retained, with a further copy forwarded to the person(s) responsible for accident or incident reporting.
- Where need be, all reported accidents and incidents are fully investigated by a “competent person”.
- The results and recommendations from all investigations are fully communicated to relevant personnel within the company and implemented to prevent, as far as is reasonably practicable, any recurrence of such accidents, incidents or near miss.

Accident reports are covered by the Social Security (Claims and Payments) Regulations 1979 and RIDDOR 2013. RIDDOR requires employers to:

- Maintain adequate records of accidents and incidents
- Report fatal accidents/major injuries/dangerous occurrences/specified diseases immediately to either the relevant local authority or Health and Safety Executive (HSE)

RIDDOR applies to all employers and the self-employed and covers everyone at work (including those on work experience and similar schemes) and non-workers, such as visitors, service users and contractors. A RIDDOR report is required only when:

- the accident is work related
- it results in an injury of a type which is reportable

4.1 RIDDOR identifies 3 types of reportable injury

The death of any person

Specified injuries to workers

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

Further information on the specific types of injuries can be obtained from:

www.hse.gov.uk/riddor/

There is no need to report incidents where people are taken to hospital purely as a precaution when no injury is apparent.

In the event of an accident, it is the responsibility of the Manager to ensure all particulars are recorded in the Accident Book and on an Injury/ Accident Report form.

Should the injured person be absent from work for more than 7 days, the supervisor is required to complete, on-line, Form F2508. Please ensure a copy of the acknowledgement that the completed form has been received by HSE is forwarded to the Director of Adult Services and/or Company Director.

RIDDOR Form - F2508 can be accessed online at www.hse.gov.uk/riddor/online.htm. There may be a requirement to report the incident to the DWP under The Social Security (Claims and Payments) Regulations 1979.

Accident forms/ books must be kept for a period of 3 years from the date of the last entry.

Managers are responsible for ensuring the Accident Record Book is signed twice yearly or during each term and must report all workplace accidents to the Senior Management Team on a monthly basis, who in turn will inform the Directors of all accidents reported.

All RIDDOR reports must be notified to the Directors as soon as is practicable who will then inform the company's insurers.

5. DATA PROTECTION

All entries in the Accident Book and RIDDOR report are confidential and must be stored in a secure location as per General Data Protection Regulation 2018.

To ensure compliance when completing the Accident Book, personal details such as the name and home address of the individual who was injured in the accident, or anyone completing the accident book on their behalf, **MUST** be entered onto the form.

Note:

The requirement is for HOME and not WORK address details.

To comply with the requirements of the General Data Protection Regulation 2018, completed Accident reports must not be stored openly in a public area, nor their contents

be made available, unless to an authorised manager within the company or an investigating health and safety officer for either health and safety or insurance purposes.

Should any service user/ legal power holder request a copy of the Accident report, then all private and personal employee details, apart from their name, **MUST** be removed from the form prior to a copy being given out. Failure to remove personal details will be a breach of the General Data Protection Regulation 2018.

The above criteria must also be implemented if any member of the public has provided their personal details and home address where they agree to be a witness for any incident report. All personal details apart from their name **MUST** be removed.

6. NOTIFYING THE CARE INSPECTORATE

Whilst the Care Inspectorate do not need to know about all incidents, notification is required for any *“serious, unplanned event or incident which has the potential to cause harm to a service user either physically, financially or materially”*.

“These include; accidents, incidents or injuries to a person using a service which results in a visit to a G.P. referral to a hospital, or an injury reportable under RIDDOR.”

The Care Inspectorate must be informed through e forms of any serious accident/incident/near miss within 24 hours. They do require to be notified of medication errors which result in harm to individuals or with the potential to cause harm.

7. THE INCIDENT REPORT FORM

Incident reporting enables Primecare Health LTD to ensure its legal duties are fulfilled in conducting incident investigations and reporting procedures. The Incident or Near Miss Form should be completed following all incidents or any near miss. The information provided is analysed to ensure Primecare Health LTD fulfils its responsibility to establish systems/ actions to prevent or reduce further injury or accidental loss.

The Incident or Near Miss Form **does not replace** the need to record and report all accidents and incidents to the Health and Safety Executive (HSE). Completion of the Incident or Near Miss Form is not an admission of liability on the part of Primecare Health LTD, its employees or contractors. Any Near Miss reported will be followed up on by the Line Manager in the first instance.

This form is specifically designed for staff to record details of any incidents or near miss involving service users, staff, volunteers, members of the public, visitors or contractors. The incident report form is **NOT** to be used to record accidents. Accidents **MUST** be recorded on the accident form which can be found in the accident book

Any damage to property, belongings, or vehicles must be reported to the Manager who will make available the relevant documentation. A copy of all information is sent to the Registered Manager.

All Accident or Incident Reports must be completed and forwarded, within 24hrs of the actual event, and submitted to the appropriate manager.

8. DE-BRIEFING AND REVIEW OF INCIDENT ANALYSIS

All staff, and where applicable, service users, must be debriefed after an incident to ensure they are safe to return to the activity/workplace, to ascertain whether they require support or to express any anxieties/concerns they might have. More importantly debriefing helps to review the incident and analyse how it might have been prevented.

It is essential all accidents and incidents are robustly and objectively reviewed and learnt from. The analysis will be led by a Senior Management Team who may consult with the Health and Safety partner (Citation), Learning and Development Team and/or the Quality/Risk Officer for further advice and guidance. Outcomes from the analysis will be recorded and shared with relevant parties to minimise the risk of future occurrences.

Support Planning and Risk Assessment is central to meeting the needs of those we support. Support Plans and Risk Assessments must be created, maintained, evaluated and provide clear guidance to support individuals to manage their identified needs. It is essential and good practice to evaluate support plans and risk assessments after an incident.

9. TRAINING

All employees of Primecare Health LTD will undertake training on how to correctly complete the Incident Report Form (IRF). Training on the Incident or Near Miss form will also be included in the Accident or Near Miss on the health and safety courses.

Managers will receive guidance on how to ensure all parts of the IRF are correctly completed as part of the Quality Assurance process.

10. QUALITY ASSURANCE

All Accident, Incident or Near Miss forms will be quality assured to ensure all staff follow due process and procedure before, during and after an incident.

In the event of an incident the Incident Form must be forwarded to the Line Manager and where appropriate the Registered Manager for Quality Assurance purposes. If the incident is Health and Safety related, then a copy of the form must be forwarded to the Directors for information.

In the event of an accident, a copy of the report must be held in the office for the Health and Safety Partner (Citation) to access when required.

11. POLICY REVIEW

This policy will be reviewed every 3 years or sooner if required.