

# Health and Safety Bitesize

## Accident, incident and near miss reporting



# The importance of reporting accidents/incidents and near misses

Employers have a moral, legal, and economic responsibility to monitor their accident/incident and near miss trends and should be using the data to analyse future health and safety improvements that may be required. Schools should be aware of their duties under the following legislation which must be adhered to:

- Health and Safety at Work Act 1974.
- The Management of Health and Safety at Work Regulations 1999.
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).
- Safety Representatives and Safety Committees Regulations 1977 and the Health and Safety (Consultation with Employees) Regulations 1996 (employers must make relevant health and safety documents available to safety representatives).

Monitoring incident data is a vital tool which should be used by senior management teams and any lessons learnt shared throughout the school to ensure action is taken to prevent a re-occurrence - this also helps to improve health and safety culture. Therefore, school leaders need to ensure there is a comprehensive reporting system in place (which captures accidents, incidents and near misses. Voluntary Controlled and Community Schools are expected to use [KCC's online accident and investigation reporting form](#).

An important step to minimise your accident incident rate (AIR) is to ensure necessary risk assessments are in place to help protect anyone who could be injured or harmed within the workplace. Any identified hazards should be evaluated, and reasonable control measures put in place to mitigate the risk of harm to an acceptable level.

# The importance of investigating accidents/incidents

Investigations must be undertaken for accidents/incidents when necessary to prevent a similar type of incident from occurring. The most important reason to investigate an incident is to identify the causes so that corrective action can be taken to prevent a similar occurrence from happening again.

Investigating accidents, incidents and near misses is a reactive method which helps to monitor evidence of poor health and safety practice. An effective investigation requires a methodical, and structured approach to information gathering, collation and analysis. The findings from accident investigations can help reduce accidents in the workplace by:

- Looking at root or underlying issues not just immediate causes.
- Identifying why control measures failed and what improvements need to be made.
- Planning to prevent the incident from happening again.
- Reviewing and revising risk assessments to improve controls in the workplace.

Other reasons for carrying out an incident investigation include:

- Legal reasons – a legal duty is imposed on employers.
- Claim management – an insurance company will examine the accident investigation report to help determine liability.
- Staff morale – demonstrates senior management commitment to effective health and safety.
- Disciplinary purposes – where behaviour has fallen short of the acceptable standard.



# The importance of reporting and investigating near misses

Understanding near misses can help you protect your employees, pupils and visitors who may be affected by your work environment and activities. Many near misses will be minor events of little or no consequence, however some may have the potential for a serious injury and should be recorded and thoroughly investigated with preventative measures put in place to eliminate a reoccurrence and possible risk of harm.



Bird's accident triangle depicts that serious outcome accidents tend to happen rarely and are often difficult to predict. However, near misses happen far more frequently (up to 600 times more) according to Bird.

**Case study** highlighting the importance of reporting and investigating a near miss to ensure there is not a reoccurrence that may result in injury, harm or tragic circumstances: a special educational needs school was fined by the Health and Safety Executive after a 19-year-old student died as a result of a 'series of management failures.' The student had been diagnosed with a potentially life-threatening eating disorder where sufferers have a compulsion to eat things which have no nutritional value. Despite a near miss incident just days earlier where the student was seen choking on a blue towel (and was on this occasion able to dislodge it themselves) the school failed to take action to make sure it didn't happen again. It took several minutes for the pupil's absence to be noticed and when found they were choking on a paper towel again which was eventually removed by Emergency Services, however the student had been without oxygen too long and later died in hospital. The near miss incident a few days earlier should have raised the alarm with the school and triggered an investigation into how the student had been able to access the paper towel, and steps should have been taken to prevent it happening again.

## Playground incidents

Most playground accidents due to collisions, slips, trips and falls are not normally reportable. Incidents are only reportable where the injury results in a pupil either being killed or taken directly to a hospital for treatment. Either is only reportable if they were caused by an accident that happened from or in connection with a work activity. This includes incidents arising because of the:

- Condition of the premises or equipment was poor e.g. badly maintained play equipment.

*or*

- The school had not provided adequate supervision e.g. where particular risks were identified, but no action was taken to provide suitable supervision.

## Competence

School leaders must ensure their staff have sufficient training, knowledge, experience and other abilities or skills to be able to carry out their work safely and without risk to health to them or others who may be affected by their work activities. This includes any tasks relating to:

- Asbestos management.
- Control of substances hazardous to health (COSHH).
- Fire safety (including fire warden and practical fire extinguisher).
- First aid.
- Legionella and water hygiene.
- Manual handling of inanimate objects.
- Working at height.

# Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

RIDDOR requires employers and others in control of premises to report certain accidents/incidents arising out of or in connection with work to the [Health and Safety Executive \(HSE\)](#). For further guidance and the criteria for dangerous occurrences and occupational diseases see the [HSE's Incident reporting in schools](#).



**Employees** – work-related incidents including those caused by physical violence:

- Resulting in death or a specified injury must be reported without delay.
- Prevents the injured person from continuing their normal work for more than 7 days (not counting the day of the accident but including weekends and other rest days) must be reported within 15 days of the incident.
- Work-related diseases as specified under RIDDOR – once a written diagnosis from a doctor is received.

## Employee RIDDOR examples:

- **Violent behaviour:** a challenging behaviour pupil hit a teacher on their arm with a bat causing a fracture. A fracture (other than fingers, thumbs and toes) is identified as a specified injury, and the employee was absent from work for over 7 days (both are RIDDOR criteria).
- **Working at height:** an employee stepped on a bookcase to reach a display - the shelf broke causing them to fall to the ground fracturing their leg. On investigation it was identified the employee had not completed an appropriate working at height training course, and a risk assessment was not in place.

**3<sup>rd</sup> Party** – pupils and visitors involved in an accident at school, or an activity organised by the school:

- The death of the person, and arose out of or in connection with a work activity must be reported without delay; or
- An injury that arose out of or in connection with a work activity **and** the person is taken directly from the scene of the accident to hospital for treatment (examinations and diagnostic tests do not constitute treatment) must be reported within 10 days.

Not all injuries are reportable under RIDDOR, the essential test is whether the accident was caused by the condition, design or maintenance of the premises or equipment, or because of inadequate arrangements for supervision of an activity. If an accident that results in an injury arises because of the normal rough and tumble of a game, the accident and resulting injury would not be reportable. The responsible person should consider whether the incident was caused by:

- A failure in the way a work activity was organised e.g. inadequate supervision.
- The way equipment or substances were used e.g. lifts, experiments, machinery.
- The condition of the premises e.g. poorly maintained, or slippery floors.

**3<sup>rd</sup> Party RIDDOR examples:**

- A pupil slips on the sports hall floor whilst playing football, the floor had been polished and had been left too slippery. The pupil went directly to hospital and had treatment due to a fractured leg.
- A pupil cut their arm on play equipment, went direct to hospital and had stitches. On investigation it was identified a piece of the equipment had come apart and a large screw was protruding.

## Medical incidents or very minor injuries (employees, 3<sup>rd</sup> party (pupils, agency staff, visitors))

Voluntary Controlled and Community Schools do not need to record the following employee or 3<sup>rd</sup> party incidents on [KCC's online accident and investigation reporting form](#).

- Any illness, seizure or epileptic fit, unless it has resulted from a work activity.
- Employee off duty accidents and very minor accidents/incidents e.g. paper cut.
- 3<sup>rd</sup> Party no injuries, unless a near miss due to faulty premises/equipment or lack of supervision.

## Management and retention of accident records

A more secure way of recording and storing incident data is using an online reporting system. This eliminates the risk of paper copies being misplaced and provides up-to-date information allowing you to easily and comprehensively monitor and analyse trends. Voluntary Controlled and Community Schools use KCC's online reporting and investigation form. All schools must adhere to the General Data Protection Regulation 2021 (GDPR) - a legal framework setting guidelines for the collection and processing of personal information.

KCC's retention of records state accident/incident forms should be kept securely for:

- Employees for 4 years from the date of the accident.
- Pupils for 22 years from the date of the accident (where the injured person is a minor at the time of the accident).
- Accidents/incidents involving exposure to dangerous substances should be retained for 40 years.



## What should schools do if written correspondence is received from the HSE?

Voluntary Controlled and Community Schools must inform KCC's Health and Safety Team by email before responding:

- KCC Interim Head of Health and Safety - [maria.kelly@kent.gov.uk](mailto:maria.kelly@kent.gov.uk)
- KCC Health and Safety Team Advice Line - [healthandsafety@kent.gov.uk](mailto:healthandsafety@kent.gov.uk)

## What action is required if correspondence is received from a solicitor?

If a litigation claim for an incident is received, contact KCC's Insurance, and Health and Safety Teams before responding:

- KCC Insurance Team - [liabilityteam@kent.gov.uk](mailto:liabilityteam@kent.gov.uk)
- KCC Interim Head of Health and Safety - [maria.kelly@kent.gov.uk](mailto:maria.kelly@kent.gov.uk)
- KCC Health and Safety Team Advice Line - [healthandsafety@kent.gov.uk](mailto:healthandsafety@kent.gov.uk)

## Where do I report environmental pollution incidents?

All incidents that cause pollution to the environment (water, land or air) need to be notified to:

- KCC Environment Team on 03000 410237 / 03000 411471 or by email [scc@kent.gov.uk](mailto:scc@kent.gov.uk).

# Questions or advice and support

For any further questions or advice and support please contact  
KCC's Health and Safety Advice Line  
03000 418456 / [healthandsafety@kent.gov.uk](mailto:healthandsafety@kent.gov.uk)

Voluntary Controlled and Community Schools to complete:  
[KCC's online reporting form](#)

KCC's Health and safety guidance and information:  
[KELSI health and safety](#)

Health and Safety Executive:  
[Incident reporting in schools \(accidents, diseases and dangerous occurrences\)](#)