

The Holy Spirit Catholic Primary School



Accident Incident Policy 2019

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September 2019

Information

This Policy will enable schools to meet the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

Incidents are reported electronically on the Accident / Violent Incident link under 'My Job' by accessing the 'Health & Safety and Risk Management Portal on the Intranet.

The purpose of this document is to set out the policy and procedures of for reporting, recording and investigating accidents, incidents and near misses within schools.

Legal Duty

The employer has a legal duty to:

- (i) Provide for the safety, health and welfare at work of all its employees;
- (ii) Provide a safe environment for any person who uses its services and premises;
- (iii) Fulfil its legal duties as conferred under relevant statutory provisions;
- (iv) Ensure that all relevant incidents are reported to the Health and Safety Executive (HSE);
- (v) Operate this policy in compliance with legislation preventing discrimination on grounds of an individual's gender, ethnic origin, sexual orientation, disability, age, religion or belief and with the duties placed on public bodies to promote race, gender and disability equality.

Scope

All Accidents to employees, pupils and members of the public must be entered either in a 'minor' accident book or on a Halton Borough Council electronic accident report.

Investigation

They must be investigated and the purpose is not to apportion blame but to:

- Explore the reasons why it occurred;
- Identify both the immediate and underlying causes;
- Highlight recommendations that prevent or limit the likelihood of recurrence;
- Provide feedback to those affected; and
- Improve overall health, safety and welfare performance.

An investigation should:

- (i) Be carried out in accordance with the guidance
- (ii) Commence at the earliest opportunity and in any case within 24 hours of occurrence.

An investigation will always take place where:

- (i) The incident highlights a risk which has not previously been assessed;
- (ii) The incident highlights shortcomings in the existing risk assessment;
- (iii) The incident is reportable to the Health and Safety Executive;

- (iv) The incident is sufficiently serious to warrant an investigation; or
- (v) Those affected by the incident reasonably request it.

Categories of Incident

The categories of accidents mentioned below are:

- a) Minor
- b) Significant
- c) Over 7 Day
- d) Specified Injuries
- e) Pupil / Public attending at Hospital
- f) Diseases / Ill Health
- g) Dangerous Occurrences
- h) Near Misses

Action Required

Both the circumstances of the accident and the severity of the injury will determine what further reporting is necessary.

a) MINOR INJURIES:

(E.g. cuts and grazes, bruises etc requiring no more than basic first aid).

Action:

1. **Pupils** – Enter into ‘minor’ accident book
2. **Employees** Complete electronic accident report (tick box for employee)
3. **Public** Complete electronic accident report (tick box for public)

b) SIGNIFICANT INJURIES:

For **employees** either,

1. Injuries requiring more than first aid, or
2. Injuries arising from poor health and safety management / premises or equipment defects.

For **pupils** either,

1. Injuries requiring hospital treatment (see ‘E’ below), or
2. Injuries requiring time off.

Action:

1. Telephone Health and Safety Advisor 0151 511 8563 / 7967
2. Complete electronic accident report

c) OVER 7-DAY INJURY:

This section only applies to **employees**.

Where an employee is injured at work and as a result is unfit for work for **more** than seven days following the date of the accident.

(For example a teacher strains his/her back on Wednesday 10th September. He/she returns to work on the following Monday. Although their working hours do not include weekend shifts, you need to determine if they would have been fit for work on the Sunday, if not, then the injury incapacitated them for more than seven days following the incident, Therefore this is classed as an over 7-day injury).

Over 7-day injuries are reportable to the Health and Safety Executive under RIDDOR 2013.

Action:

1. Complete electronic accident report.
2. Once the accident is recognised as being an “over 7-day injury”, notify the HBC Health and Safety team either by email or on 0151 511 8563 / 7967.

d) SPECIFIED INJURIES:

Categorised as;

- Fractures, other than to fingers, thumbs and toes
- Amputation of an arm, hand, finger, thumb, leg, foot or toe
- Any injury likely to lead to permanent loss of sight or reduction in sight in one or both eyes
- Any crush injury to the head or torso, causing damage to the brain or internal organs
- Any burn injury (including scalding) Which: covers more than 10% of the whole body's total surface area or causes significant damage to the eyes, respiratory system or other vital organs
- Any degree of scalping requiring hospital treatment
- Any loss of consciousness caused by head injury or asphyxia
- Any other injury arising from working in an enclosed space

Action:

1. Telephone a Health and Safety Advisor **immediately** on 0151 511 8563 / 7967.
2. The Health and Safety Advisor will then decide if the incident is reportable to the Health and Safety Executive
3. Complete electronic accident report.

e) PUPILS / PUBLIC ATTENDING HOSPITAL

For all accidents resulting in a pupil or member of the public being taken to hospital:

Action:

- Contact the Health and Safety Advisor on 0151 511 8563 / 7967 who will determine whether the accident is reportable to the HSE
- Complete electronic accident report.

NB: IF EVER YOU ARE UNSURE OF THE CORRECT PROCEDURE, CONTACT THE BOROUGH HEALTH AND SAFETY TEAM ON 0151 511 8563 / 7967.

f) PROCEDURES FOR REPORTING DISEASES / ILL HEALTH CONDITIONS

Under RIDDOR 2013 there is an index of reportable occupational-related diseases and ill health conditions. The majority of these are unlikely to occur in staff groups whose work is predominantly school based. As such the full index has been reduced to highlight those conditions that may be foreseeable within an educational environment:

CONDITION	CAUSES
Repetitive Strain Injuries (RSI's) e.g. carpal tunnel syndrome, tenosynovitis, tendonitis	Long-term, intensive use of keyboards. May affect admin support and secretarial staff.
Legionellosis	Legionnaires Disease – risk higher in those schools with showers, spa pools
Nasal Cancer	Caused by prolonged exposure to wood dust, especially from hardwoods. Possible risk to design and technology staff.

Action:

- Contact the Health and Safety Advisor on 0151 511 8563 / 7967 who will determine whether the accident is reportable to the HSE
- Complete electronic accident report.

g) PROCEDURES FOR REPORTING DANGEROUS OCCURRENCES

Under RIDDOR 2013 the incidents listed below should be immediately reported to the Health and Safety Executive. Schools should notify the Health & Safety team who will then notify the HSE.

Lifting Machinery, etc.

1. The collapse of, the overturning of, or the failure of any load-bearing part of any –
 - (a) Lift or hoist;
 - (b) Mobile powered access platform;
 - (c) access cradle or window-cleaning cradle;

Pressure Systems

2. The failure of any closed vessel (including a boiler or boiler tube) or of any associated pipework, where the failure has the potential to cause the death of any person.

Electrical Short Circuit

3. Electrical short circuit or overload attended by fire or explosion which results in the stoppage of the plant involved for more than 24 hours or which has the potential to cause the death of any person.

Collapse of Scaffolding

4. The complete or partial collapse of –
 - (a) Any scaffold which is –
 - (i) More than 5 metres in height which results in a substantial part of the scaffold falling or overturning; or
 - (ii) Erected over or adjacent to water in circumstances such that there would be a risk of drowning to a person falling from the scaffold into the water; or
 - (b) The suspension arrangements (including any outrigger) of any slung or suspended scaffold which causes a working platform or cradle to fall.

This list has been shortened to reflect those occurrences which are foreseeable in a school environment. For full details from RIDDOR 2013, contact the Safety Officer on 0151 511 8563 / 7967.

h) PROCEDURES FOR REPORTING "NEAR MISSES"

A near miss is an incident which may have occurred, without resulting in loss/damage/injury but which had the potential to have done so.

E.g. the rung of a ladder fractures under the weight of a caretaker. He retains his balance and is not injured. There was a potential for injury but in this instance it was avoided.

Action:

- Complete electronic accident report with the “Near Miss” box in Section 1 being completed.

This will enable Halton Borough Council to take appropriate remedial action to avoid future occurrences.

Data Protection

To comply with the Data Protection Act, there is a declaration at the beginning of the report that states,

‘In order to comply with DPA 2018, personal details entered in an accident record must be kept confidential. All records will be stored in accordance with IT Standing Orders.

It is important that you are absolutely accurate in the details you enter onto this system. The information you enter here may be referred to in court. You may in certain circumstances be called on to give evidence as to the facts on oath in court or tribunal’.

There is a mandatory box that needs to be ticked acknowledging that it has been read and understood.

If personal information is entered onto the system on behalf of an injured party or witness by another person, it is the schools responsibility to ensure that they are to be issued with the Accident Reporting System Privacy Notice, as per appendix ‘A’.

For recording minor accidents to pupils, books can be used with multiple entries per page. Schools can adapt exercise books provided that they cover all necessary areas.

Where a third party (e.g. solicitor or parent) requests a copy of an accident report, only information of direct interest should be passed on.

Review and Evaluation

In order to ensure that this policy continues to be effective and applicable to the Council, the program will be reviewed biennially by Risk and Emergency Planning and relevant stakeholders. Conditions which might warrant a review of the policy on a more frequent basis would include:

- Changes to legislation;
- Employee concern.

Following completion of any review, the program will be revised and/or updated in order to correct any deficiencies. Any changes to the program will be consulted through the relevant stakeholders.

Version Control and Change History

Version Control	Date Released	Date Effective	Approved By	Amendment
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1	2002	May 2002		Policy Created
2	2009	Apr 1 st -2010		Update current Policy and Violence Incident Form
3	2012	Oct 2012		Update new RIDDOR and telephone numbers
4	2014	Aug 2014		Document reviewed, hyperlinks removed. Removed Systems and Applications and included Portal. Major injuries changed to specified and categories updated.
5	2018	May 2018		Included Privacy Notice

General Data Protection Regulation (GDPR)

PRIVACY NOTICE ACCIDENT REPORTING SYSTEM

Who is the Data Controller for the information I provide?

Halton Borough Council is the Data Controller for the personal information you provide.

The Council's Data Protection Officer can be contacted on 0151 511 7003 or by email to Peter.Richmond@halton.gcsx.gov.uk

We collect and hold information about you in order to record all accidents and incidents for employees and anyone affected by HBC actions

Why do you need my information?

- (i) Provide a safety, health and welfare at work of all its employees and a safe environment for any person who uses its services and premises;
- (ii) Fulfil its legal duties as conferred under relevant statutory provisions;
- (iii) Investigate accidents to identify both the immediate and underlying causes and highlight recommendations that prevent or limit the likelihood of recurrence;
- (iv) To collect information for any claims for damages and for insurance purposes; and
- (v) Ensure that all relevant incidents are reported to the Health and Safety Executive (HSE).

What legal basis allows you to use my information?

Available Basis:

- (1) Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.

This is especially if the injured party has completed the form.

- (2) Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).

These include the Health and Safety at Work Act, Management Regulations, Reporting of Injuries, Diseases and Dangerous Occurrences Regulations and the First Aid Regulations (this list is not exhaustive).

- (3) Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

- (4) Legitimate interests:** the processing is necessary in your interests, for the Council's legitimate interests or the legitimate interests of a third party.

Special Category:

Lawful Bases for processing special category (e.g. health, etc., where processed to uniquely identify a person) data and in particular data concerning health where processed to uniquely identify a person:-

- (1) You have given explicit consent to the processing of your personal data for a specified purpose.
- (2) Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the council or yourself in the field of employment and social security and social protection law in so far as it is authorised by law or a collective agreement pursuant to law providing for appropriate safeguards for the fundamental rights and the interests of yourself.
- (3) Processing is necessary to protect your vital interests or those of another person where you are physically or legally incapable of giving consent.

Do I have to provide this information and what will happen if I don't?

HBC will not be able to record, report and retain records and demonstrate that it has investigated incidents and complied with its legal duties.

Who will my information be shared with?

With relevant HBC managers, Enforcement Bodies such as the HSE and insurers.

How long will you keep this information for and why?

If an adult for 7 years.
For a child/young person up to the age of 21 years.

How will my information be stored?

On the Accident data base on the HBC Intranet, which is secure.

Will this information be used to take automated decisions about me? No

Will my data be transferred abroad and why? No

What rights do I have when it comes to my data?

Right to be informed – through this Privacy Notice
Right to rectification – you have the right to have personal data rectified if it is inaccurate or incomplete.

Right of Access - you have the right under the Data Protection Act 2018 (General Data Protection Regulation 2018) to request a copy of your information and to know what it is used for and how it has been shared. This is called the right of subject access. To request a copy of your data or ask questions about how it is used download a copy of our form from <https://www4.halton.gov.uk/Pages/councildemocracy/Data-Protection.aspx> and send it to Information Governance Service, Halton Borough Council, Service Improvement Division,

Municipal Building, Widnes, WA8 7QF. Or email informationgovernanceservice@halton.gov.uk

Source of data

In addition to the information that you provide about yourself we will also receive information from others entering the report on the system on your behalf.

Who can I complain to if I am unhappy about how my data is used?

You can complain directly to the Council's Data Protection Officer by writing to:

Data Protection Officer, Information Governance Service, Halton Borough Council, Municipal Building, Widnes WA8 7QF'.

You also have the right to complain to the Information Commissioner's Office using the following details: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. Telephone: 08456 30 60 60 or 01625 54 57 45. Website: www.ico.org.uk

