

## 4.7 Accidents

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#### Regulation and Standards

##### England

- Regulation 10: The health and well-being standard
- Guide to the health and well-being standard
- Regulation 31: Staffing of children's homes
- Regulation 42: Notification of offences
- Schedule 3: Information to be included in the case records of children accommodated in children's homes
- Schedule 4: Other records with respect to children's homes

##### Wales

- Standard 36: Health, safety and security
- Regulation 20: Health needs of children
- Regulation 23: Hazards and safety
- Regulation 31: Fire precautions
- Social Services and Well-being (Wales) Act 2014
- Regulation 60: Notifications,  
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/60/made>
- Regulation 59: Records (Schedule 2),  
<https://www.legislation.gov.uk/wsi/2017/1264/schedule/2/made>
- Regulation 44: Premises,  
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/44/made>
- Regulation 57: Health and safety,  
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/57/made>
- Statutory Guidance For service providers and responsible individuals on meeting service standard regulations,  
<https://gov.wales/docs/dhss/publications/180201statutory-guidanceen.pdf>

All accidents involving Children/Young People, Staff and Visitors need to be recorded with Euro Pacific Partnerships Ltd (EPP). If the accident is deemed reportable under RIDDOR then EPP will manage all aspects of notifying HSE and advising the Home.

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## **1. Definition of Accident**

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An accident is an unplanned event that results in injury or ill health to people as well as damage to property, plant and equipment where there was a risk of harm. This includes what are known as 'dangerous occurrences' or 'near misses'.

Most accidents have the potential to cause both property damage and personal injury but not always both. All accidents need to be reported to enable the company to take appropriate action to prevent a recurrence.

## **2. Accident Reporting**

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### **2.1 All Accidents**

The Reporting of Accidents/Incidents under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) require certain accidents to be reported to the Health and Safety Executive (HSE). This may result in an investigation.

All accidents and incidents, including those which take place during an off-site activity, no matter how trivial, should be reported **immediately** to EPP via the Accident/ Incident Reporting Form online.

Major incidents and serious workplace injuries (known as 'specified' injuries) should be reported by telephone to EPP immediately by telephone as well as online.

Additionally all injuries to children must be recorded by completing an Incident Report.

Please refer to the **RIDDOR Procedure** to determine whether the accident needs to be reported to the Health and Safety Executive. Note this is completed by EPP.

Thereafter, EPP will ensure compliance with RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013) by reporting accidents to the appropriate authorities.

Once the accident report and RIDDOR report (if required) are emailed to you by EPP make sure a hard copy is printed and filed in your accident and incident file. However, always telephone EPP if in doubt.

## **3. Accident Investigation**

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All accidents must be investigated by the Manager or the person responsible for health and safety to establish the cause and initiate control measures via assessment to determine the possibility of repeat accidents. This should be done as soon as is practicable after the accident and once immediate first aid and preventative measures have been completed

Please refer to the **Information Sharing and Escalation Procedure** for all accidents occurring in a care setting and to for all educational accidents.

Bryn Melyn will ensure where practicable all accidents or incidents of work related ill health, dangerous occurrences and near misses will be fully investigated by the Registered Manager/Head Teacher. Accident or incident investigation is not a means of determining fault or apportioning blame.- incident;

1. To identify the underlying causes that may have contributed to the accident or incident;
2. To ensure that effective remedial actions are taken to prevent any recurrence;

3. To enable a full and comprehensive report of the accident or incident to be prepared and circulated to all interested parties;
4. To enable all statutory requirements to be adhered to.

Staff selected to carry out investigations will be required to attend any necessary training and will be provided with appropriate information and resources to enable them to carry out their respective roles.

In order to facilitate a successful investigation following an incident, the following steps should be taken.

1. Assess the need to investigate the incident when it is reported;
2. Notify and assemble the appropriate staff to carry out the investigation;
3. Ensure that all the necessary investigation equipment is assembled;
4. The accident scene should be secured, where necessary:
  - To prevent additional dangers;
  - To preserve the evidence;
  - For samples to be taken.
5. All relevant physical evidence should be inspected and recorded with samples taken if required;
6. Work activities, systems and conditions should be examined and/or noted;
7. Relevant documentation, e.g. risk assessments, should be collated and examined;
8. Witnesses, administrators of first-aid and those injured should be interviewed;
9. Any unsafe acts and conditions, along with underlying causes of incidents, should be analysed;
10. Remedial action should be taken to prevent any recurrence;
11. Suitable reports should be prepared and distributed to Head Office and Senior Managers.

In the case of Notifiable Incidents, the Registered (or Duty) Manager must notify the following as soon as possible:

Accidents and near misses mostly have a human cause; someone has either failed to follow procedures, misinterpreted information, failed to have had proper training, ignored safety signs and instructions or they may have been totally unaware of the hazards and risks associated with the tasks they have to do.

In addition, accidents and near misses could be caused by poor maintenance, inappropriate use of equipment or other environmental factors.

Bryn Melyn Care believes it important to review the causes of all accidents and incidents and to learn from the investigative outcomes so that a process of continuous improvement in health and safety management can be implemented.

All Managers are required to review the accident findings with their team members and are expected to implement any improvements to existing control measures or to implement new and improved control measures so as to minimise the risk of a similar accident recurrence.

Significant findings of all investigated accidents shall be discussed at both the Company and

Health and Safety Meetings and common procedures, controls and preventative measures shall be adopted across all the Company's activities and locations.

The completed Accident Investigation Form shall be kept in the Accident and Incident Records file and both forms must be retained for six years.

The Area Manager is to ensure that accident reports are available at each Health and Safety Committee meeting

Notifications Required by		Social Worker in Placing Authority	Ofsted or CIW	Local Authority where the home is	Local Police	Health Authority where the home is
<ul style="list-style-type: none"> <li>• Reg 30(1) England;</li> <li>• Reg 29(1) Wales</li> </ul>						
1.	Death of a child accommodated in the home	✓	✓*	✓		✓
2.	Referral of worker to Sec of State under Protection of Children Act	✓	✓			
3.	Serious illness or accident sustained by a young person accommodated in the home	✓	✓			
4.	Notifiable infectious disease	✓	✓			✓
5.	Allegation that young person has committed a serious offence	✓	✓ (CIW)		✓	
6.	Involvement or suspected involvement of young person in sexual exploitation	✓	✓	✓	✓	
7.	Serious incident necessitating calling the police to the home	✓	✓			
8.	A young person accommodated at the home goes missing	✓				
9.	Serious complaint about the home or persons working there	✓	✓			
10.	Instigation and outcome of Child Protection enquiry involving young person	✓	✓			

\* In the case of a death occurring at a registered home in England, the Secretary of State must also be informed. This will be the responsibility of the Divisional Director or his/her deputy.

The above table is a composite Regulation 40, (England), Regulation 42, (Wales).

## Revision History

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Date last updated: May 2020

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