

Incidents & investigations



If there is an accident at work, what do I have to do?

No matter how good your health and safety systems, sooner or later most workplaces will experience some sort of unplanned event. This could be an accident that results in injury or property damage, or perhaps a near miss – an incident that could have caused injury or damage in other circumstances.

Of course the first step in such situations is to make sure that anyone who has been injured gets medical treatment. After that, however, there are a number of requirements in the Health and Safety in Employment (HSE) Act that must be followed. In a nutshell, the law requires employers to:

- determine if serious harm has occurred (see below) and, if so, notify the Occupational Safety and Health service of the Department of Labour (OSH) by phone or fax, followed by written confirmation within a week. Once those injured have been removed, leave the scene undisturbed until OSH gives permission to clear it;
- keep a record of all work-related incidents, even if there are no injuries and/or those involved are not employees;
- investigate all incidents to determine whether any were caused by, or arose from, significant hazards (those

capable of causing serious harm);

- take steps to control any significant hazards that may be identified as a result of this process.

In certain high-risk situations – for example, work involving boilers, pressure vessels or cranes – all incidents must be reported to OSH, whether or not injury occurs. These requirements can be found in full in the HSE Regulations.

Principals and self-employed people must also record incidents and report serious harm, but are not required to investigate them.

What is involved in keeping an incident record?

Every workplace must have a system to make sure that someone in authority is informed whenever an incident occurs. The legal responsibility for keeping the incident record lies with the employer, but in practice events are more likely to be reported if employees can pass the information on to someone they know – a manager, supervisor, or health and safety rep from their own work area, for instance.

Staff with health and safety responsibilities should also be alert for chance remarks about how someone nearly slipped on the storeroom floor, just about banged into an cupboard door or needed a sticking plaster after

nicking a finger on a piece of equipment.

Team meetings, tool box talks and other staff gatherings can provide a good opportunity for workers to share near miss or minor injury experiences but, as such events sometimes come about because people have acted wrongly, try to avoid criticism or reprimands so as not to discourage others.

Isn't it a waste of time to report an incident if no one has been injured?

Don't think that the only incidents worth investigating are those where someone has been harmed. Near misses and minor accidents are valuable because the same situation or chain of events that *almost* hurt someone today may cause serious injury to someone else tomorrow. Encourage co-workers to report and record them all.

Workplace incidents are often represented as a pyramid or an iceberg, with a relatively small number of serious accidents atop a much larger base representing less significant events. Taking proper notice of these near misses, minor injuries or property damage incidents is pro-active health and safety management and might be the only chance you get to address hazards that, if not remedied, will one day cause a major accident.

For this reason, the HSE Act requires a record to be kept of all incidents where “any degree of harm has occurred, or could have occurred.”

Don't overlook the first signs of work-related illness either. Early reporting will help you identify risk factors in your work environment and deal with things like overuse conditions and asthma before they become a big issue.

How do I record the details of an incident?

Reported incidents and health problems must be recorded in an incident register. The law sets out what information it should contain (see below) but it can take a variety of forms, from an electronic database to an off-the-shelf register, or even an exercise book marked into columns. A pre-printed template is also available on the OSH website at www.osh.dol.govt.nz/report/accident/index.shtml

In a large workplace it may be helpful to keep a box of reporting forms – and a supply of pens – in every work area.

For any incident the register must record the following details:

- Name, address and phone number of the person responsible for the register and whether they are an employer, principal, or self-employed worker;
- The place where the incident occurred;
- Name, address, contact details and job title or occupation of the person or people involved;
- The relationship between the person or people involved in the incident and the person reporting (eg, employee, contractor, etc);
- If those involved are employees, the length of time they have been employed;
- Any treatment medical treatment required;

LINKS

Want to know more?

- The OSH website ([www.osh.dol.govt](http://www.osh.dol.govt.nz)) has printable forms for reporting and investigating incidents, and for serious harm notification.
- On the same site, A Guide to the Health and Safety in Employment Act includes an easy-to-follow section on incident reporting and investigation. You'll find it at <http://www.osh.dol.govt.nz/order/catalogue/pdf/hseguide-2ed.pdf>
- To find out how something ought to be done when conducting an incident investigation, check out the range of industry codes of practice on the OSH site – <http://www.osh.dol.govt.nz/order/catalogue/index.shtml>
- The United States Department of Labour's Occupational Safety and Health Administration (OSHA) has a useful section on why and how to conduct an investigation. Go to www.osha.gov/SLTC/smallbusiness/sec6.html

- The time and date of the incident;
- The mechanism involved in the incident (eg, a trip, heat, chemicals, etc);
- The agency involved (eg, machinery, power tools, environmental exposure);
- What harm resulted and to what part of the body (if applicable);
- A description of where and how the incident occurred;
- Whether an incident investigation has been completed and, if so, whether a significant hazard was involved;
- The name and signature of the employer.

Why should I investigate incidents?

From a moral and business management perspective, investigations will help you find ways to prevent other similar – or more serious – incidents or illnesses. They are not about looking for someone to blame.

There are also legal reasons to investigate incidents. The law says an investigation should be used to determine whether you are dealing with a significant hazard. In other words, could the same set of circumstances occur again and, if so, could someone suffer harm that was more than trivial? If so, steps must be taken to remove or reduce the hazard.

Most accidents and incidents have multiple causes, but it is human nature to focus on only one or two – and often to blame the victim. A successful investigation will look beyond the obvious, however, and search for wider contributing factors such as tiredness, work pressure, inadequate training, incorrect or badly designed equipment, poor communication and bad management policies or decisions.

It is not possible to eliminate human error in the workplace, but identifying and dealing with underlying factors such as these will mean that future errors are less likely to result in harm.

How do I go about it?

This will depend on the size of

the workplace and the severity of the incident. The obligation to conduct investigations lies with the employer, but it is often useful to adopt a team approach, to ensure that those doing the investigation understand both the work processes involved and the principles of health and safety best practice. If highly technical processes or serious injuries are involved, it may be helpful to include an external expert. In general, however, a team comprising the workplace health and safety rep and representatives from both management and the union should be appropriate.

The investigator(s) should gather evidence from as many sources as possible by:

- inspecting and photographing the accident scene;
- mapping the layout of the work area, noting the location of the victim and witnesses at the time of the incident;
- interviewing witnesses as soon as possible after the event (remember, they may be shocked or emotional and if you are not sensitive to their feelings you may fail to obtain vital information);
- detailing normal operating procedures and comparing them with what actually happened;
- determining what protective equipment was being used and whether it was suitable for the task;
- reviewing previous incident records, written operating procedures, training records, and the maintenance sheets for any equipment or machinery.

Keep a written record of the investigation process, recording what happened, how it differed from what should have happened and why, when and how the change occurred. A successful investigation should establish:

- the direct causes – the energy sources or hazardous materials that caused the harm;
- the indirect causes – the unsafe acts and conditions that triggered the harm;
- the basic or underlying causes

WHAT IS SERIOUS HARM?

OSH must be told about any incident that results in injury or illness which is deemed to be serious harm.

There is no simple definition of serious harm, but it includes death, amputation of any body part, burns that require specialist treatment, loss of consciousness as a result of oxygen deprivation, illness requiring medical treatment as a result of absorbing, inhaling or ingesting of any substance, harm that causes a person to be hospitalised for 48 hours or more within a week of the event, and either permanent or temporary severe loss of bodily function as a result of respiratory disease, noise-induced hearing loss, neurological disease, cancer, dermatological disease, communicable disease, musculoskeletal disease, decompression sickness, poisoning, vision impairment, burns or penetration wounds to the eye, fractures, lacerations or crushing injuries.

If there is serious harm (or an injury that may be serious harm) employers must notify their local OSH office immediately and leave the accident scene undisturbed until OSH has an opportunity to investigate. If the scene is altered in any way, other than as is required to assist the injured party, before OSH gives permission to do so, a prosecution may result.

The initial telephone notification of the incident should be followed up by written confirmation within seven days.

A form for notifying serious harm is available on the OSH website at <http://www.osh.dol.govt.nz/order/catalogue/forms.shtml>

– the policies, personal and environmental factors that allowed the situation to come about;

- recommendations for immediate and long-term strategies to prevent a recurrence.

What happens next?

If the investigation identifies systems, practices or structures that need modification, it is important to set priorities and timeframes for these changes to be implemented, and give someone responsibility for making sure they occur. Any actions taken to remedy a hazard should be reviewed at regular intervals to ensure they having the desired effect.

When the investigation is complete, the workers who made the original report should be informed about what was found and what is being done about it. Employees who see that a potentially dangerous situation has been fixed as a result of their re-

port will be more willing to speak up next time.

This article is intended to provide only a broad overview of its topic. Our thanks to Patrick Seaman of Patrick Seaman Workplace Safety Ltd and to Douglas Hay, author of Employee Participation, A handbook for Health and Safety Representatives. Any errors, however, are Safeguard's. ■

NEXT TIME

What does an OSH inspector do?

Any questions?

If there is a health and safety topic you'd like to know more about, send the details to jackie@safeguard.co.nz