

Accident and Incident Reporting Procedure

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Written By	Rob Tyson	Authorised By	Mervyn Lambert
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1 Introduction

Mervyn Lambert Plant Ltd cares about the health and safety of its people. It recognises the need to report within current legislative requirements along with the improvement in Health, Safety and Environmental performance that can be gained by good incident reporting and investigation.

This policy complies with the requirements imposed by the Health and Safety at Work etc Act 1974. The Management of Health & Safety at Work Regs 1999 as amended, and the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

The purpose of this policy statement is to ensure the consistent reporting and management of both road traffic collisions and other accidents to enable actions that reduce both 'driver at fault' and 'driver not at fault' road collisions.

2 Scope

This document and its appendices are intended for the use of Mervyn Lambert Plant Ltd employees whose responsibilities include the reporting and recording of incidents, accidents and dangerous occurrences.

The word Incident in this document is used to include accidents, near misses and other events that are a significant threat to people, property, environment or the continuity of business.

Managing risks associated with driving is the joint responsibility of senior management, operations, fleet management and driving staff. This policy applies to all staff responsible for any aspect of the post-collision process, including training staff and all driving staff.

3 Policy

Mervyn Lambert Plant Ltd will endeavour to prevent undesirable incidents wherever it can and to respond promptly and professionally should they arise. Mervyn Lambert Plant Ltd will report all relevant incident information using prescribed documentation within agreed timescales. Significant incidents will be investigated and brought to the attention of management. Corrective and preventative actions will be identified and where appropriate escalated for positive improvement of Mervyn Lambert Plant Ltd activities.

4 Responsibilities

The Managing Director

is responsible for making the necessary arrangements to provide financial support required for various activities

The Health and Safety Manager

will ensure that this Policy and Procedure is appropriately communicated, understood and implemented. This will be achieved by regular audits and inspections and reporting of accident information. Levels of incidents, types and trends will be collated and reported.

Managers

will ensure that all incidents are brought to the attention of the Health and Safety Manager **immediately** and assist with any remedial initiatives/ investigations that may necessary. In

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all cases it will be the managers responsibility to report all incidents to the HSEQ Manager by means of an ML83 Incident report form and where necessary obtaining photographic evidence and/or arranging for completion of a road traffic accident form.

Transport Specific Responsibilities:-

Driving staff must ensure that:

- At the start of each duty, a daily walk around check is completed and recorded on the Daily Walk Around Form (a sample form is included in the toolkit resources)
- Any pre-existing or fresh vehicle damage is documented on the Daily Walk Around Form and reported to the transport office before the vehicle leaves the depot
- Any additional damage that occurs on duty is documented on the Driver Post Collision Report Form, however this damage has occurred
- They may be held responsible for any unreported damage
- In the event of a collision:
 - They follow the instructions detailed on the Driver Collision Action Card (see Section 7)
 - They will complete documentation and participate in the collision investigation to determine the direct and underlying causes of the collision.

Collision Investigators must ensure:

- Conduct a post-collision investigation and complete the Post Collision Report Form
- Gather all relevant information and conduct interviews with the driver and any witnesses
- Produce the FNOL report as soon as a collision occurs
- Determine the direct and underlying causes of the collision through causal analysis
- Make recommendations based on the findings of the investigation, to help prevent re-occurrence of this type of incident
- File the evidence of the investigation securely for future reference – this is important as the incident may be subject to civil or criminal proceedings, often many years after the incident

The Transport Manager must ensure that:

- They are conversant with all procedures and documentation outlined in this policy and that the policy is fully implemented
- All drivers are aware of their duties and responsibilities under this policy
- Any deviation from this policy is fully justified and documented for approval by senior management
- All collision evidence is collected, and the facts are verified for consistency and accuracy to inform the post-collision investigation
- The driver that has been involved in a road traffic collision is fully fit and competent for duty prior to any subsequent task
- The vehicle that has been involved in a road traffic collision is legal and roadworthy prior to any subsequent task

The Road Risk Champion must ensure that:

- The road traffic collision policies, procedures and responsibilities are developed and communicated effectively across the organisation

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- All staff are conversant with all procedures and documentation outlined in this policy and that the policy is fully implemented
- All collisions, investigation findings and lessons learned are recorded accurately on the organisation's own database/dashboard
- Evidence of the investigation is filed securely for future reference – remember, some of the information may be legally privileged therefore shouldn't be accessible to all
- Investigation findings are monitored to identify trends and used to develop, communicate and evaluate in-company road safety campaigns, driver training and other safety interventions
- Relevant professionals are consulted over the implementation of remedial action (e.g. disciplinary proceedings, driver assessment and training)
- Periodic collision reports are prepared to inform senior management and clients requiring contractual collision reporting

Senior Management must ensure that:

- The collision management policy is published and communicated effectively across the organisation
- Operational, management and driving staff are resourced, trained and empowered to conduct the duties
- Any related policies, driver performance management and disciplinary procedures are consistent with this policy

Employees and Contractors

who have accidents or are involved in incidents must report details to their Line Manager **immediately**. All involved parties must provide information and co-operate with any investigation by the company or statutory authorities.

5 Arrangements

5.1 Definitions

Accidents

An Accident is an unplanned, unwanted event that has caused personal injury

Incidents/Near Misses-

Are an unplanned event that may or may not result in personal injury or property damage e.g.

- Road Traffic Incidents
- Dangerous occurrences at Temporary Traffic Management sites – jumping red lights, speeding etc.
- Damage to plant
- Traffic light damage
- VMS/VAS damage
- Vandalism
- Environmental spillages – Fuel, Oils, Lubricants

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- Fire
- Flood
- Thefts or break-ins
- Violent or Abusive behaviour

Major incident

A Major Incident is defined for Contingency planning purposes as an Emergency, which represents a serious threat to people, premises or business.

RIDDOR

RIDDOR requires the specified responsible person, usually the Health and Safety Manager, to report certain defined work-related accidents or incidents to the enforcing authority. In summary, the accidents or incidents that are required to be reported include:

- all fatalities
- accidents resulting in any of the specified "major injuries"
- certain defined work-related diseases
- certain dangerous occurrences such as building collapses, gas explosions, etc.
- accidents resulting in employees being off work for more than seven days. This includes any days they would not normally be expected to work such as weekends, rest days or holidays but excludes the day of the incident.

The deadline by which an over seven day injury must be reported is 15 days after the accident

From 6 April 2012 a record must be kept for over 3 day injuries, but less than 7 days, but this is not RIDDOR reportable.

5.2 Incident Management

Individuals who are the first person at an accident scene should initiate incident management by making safe and calling the first aider. In the event of a fatality, or discovery of a dead body the Managing Director and Health and Safety Manager must be informed **immediately**.

6 Accident /Incident Reporting

6.1 Injury Reporting

Mervyn Lambert Plant Ltd employees are required to report all personal injury accidents that occur to their relevant manager immediately.

The manager completes an Accident report form from the accident report book if an injury is sustained.

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It is NOT necessary to complete an ML83 (electronic or paper) notification where a simple injury (cut finger, abrasion etc) has been sustained UNLESS the injury sustained was the result of a larger accident event.

6.11 Road Traffic Collisions

If an employee is involved in a road traffic accident, then **Appendix C of this document must be fully completed** by the operative involved. This must then be scanned and sent with the electronic incident notification together with any photos.

The company now provides the facility to report incidents electronically via the online health & safety portal. This system also provides the ability to upload photos and video. All such uploads should be done at the time of reporting the incident.

In all road traffic collision accidents the memory card from the dash camera must be sent to the HSEQ Manager without delay. Unless authorisation has been given – no attempt should be made to view the footage or otherwise access the content of the memory card.

Road traffic collisions have the potential to cause death or serious injury and can affect the operating costs and reputation of our organisation significantly. It is therefore the responsibility of this organisation to understand the direct and underlying causes of collisions and implement measures to prevent their reoccurrence.

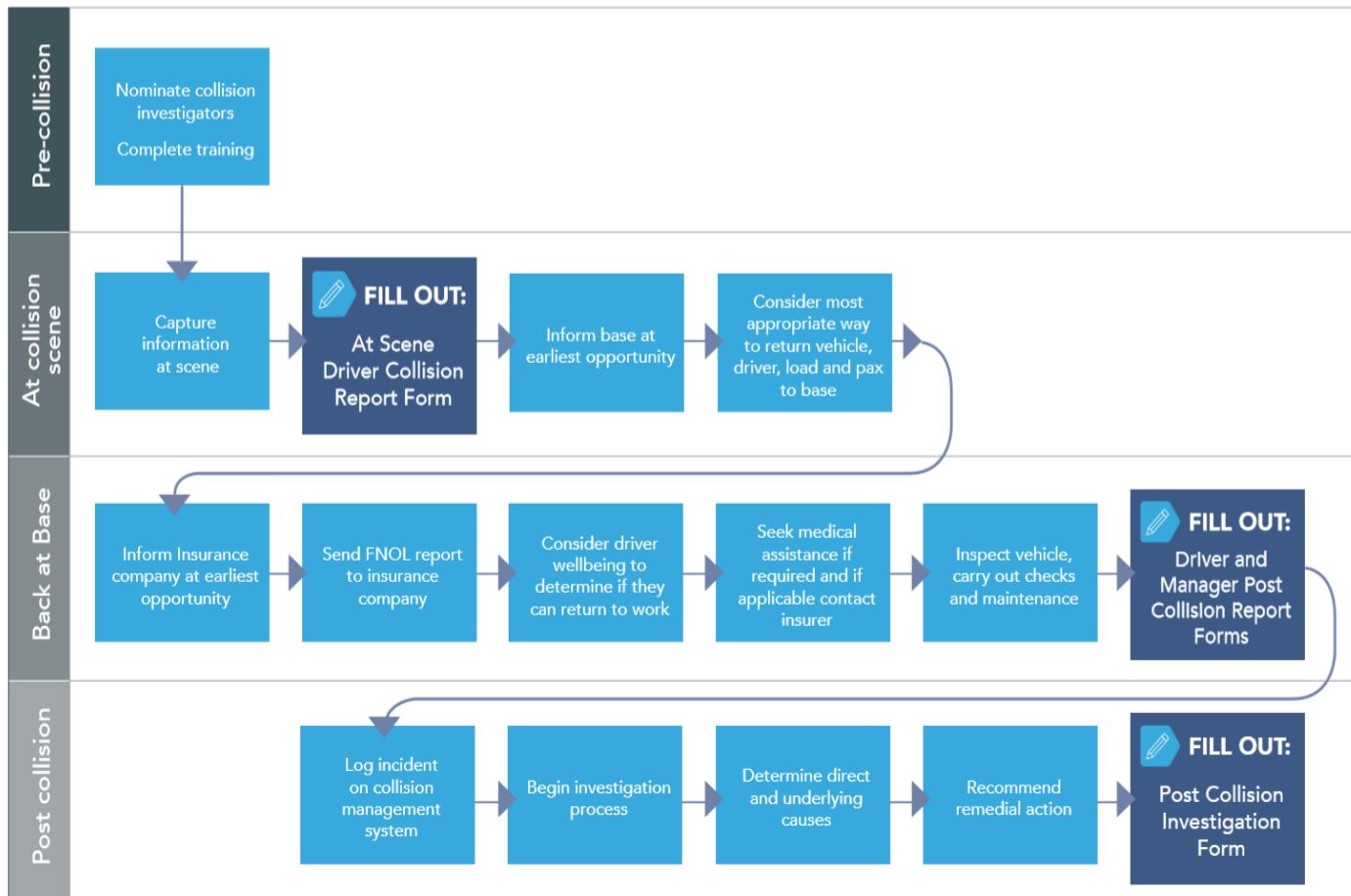
We expect all our drivers to maintain high driving standards on the road. This means operating within the law, driving with consideration for others and ensuring our vehicles are safe and roadworthy at all times.

Our policy is to ensure that all road traffic collisions are reported, documented, investigated and managed in a consistent way. This enables us to better understand the risks our drivers face in order that we can reduce the number and severity of all vehicle collisions.

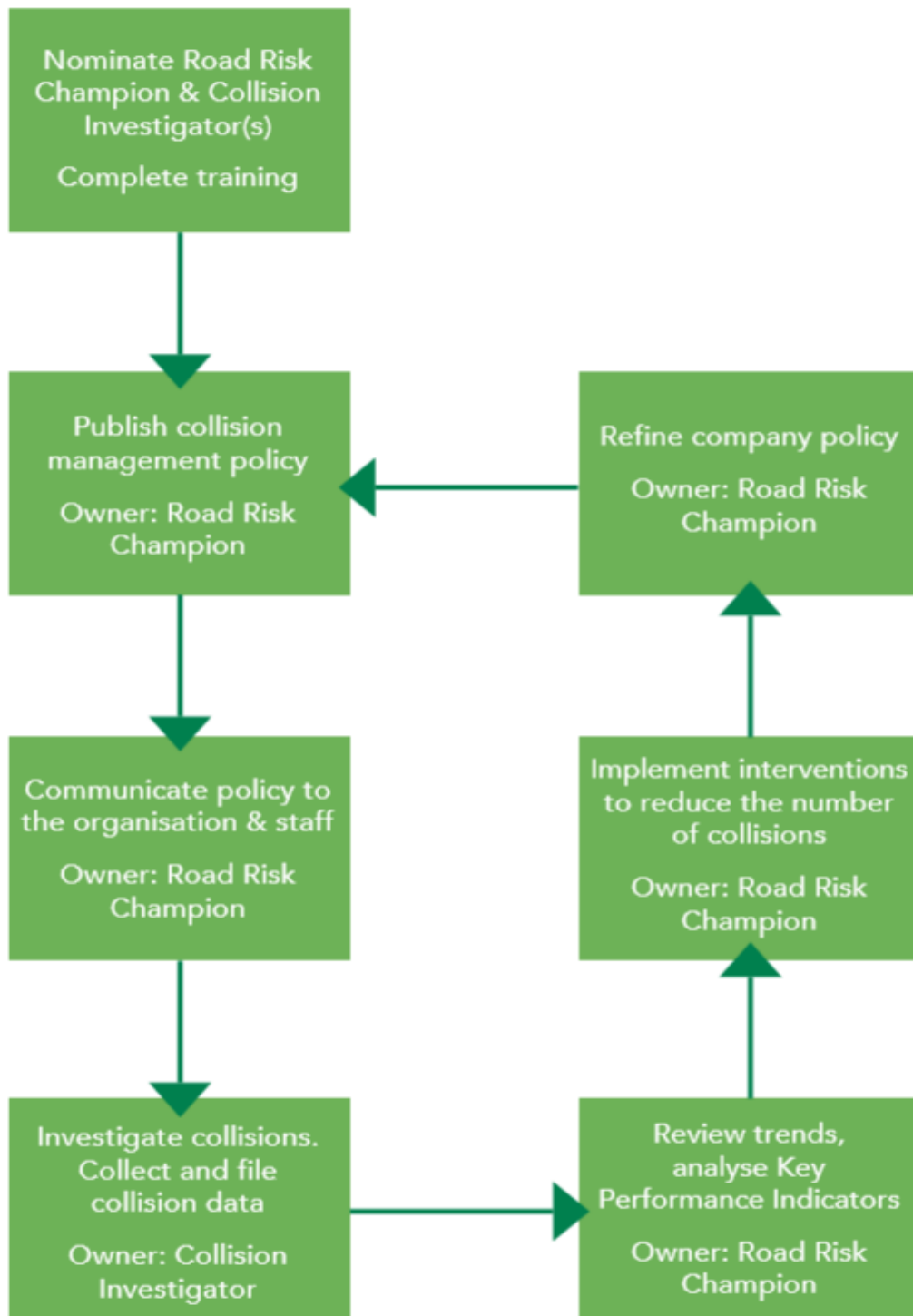
When a driver is involved in a road traffic collision, it is essential that the collision investigation process is followed to ensure the:

- Collision is managed safely, legally and reported to the relevant authorities promptly
- Incident facts are collated accurately and recorded correctly (including people involved and property damaged)
- Drivers involved are assessed to ensure they are fit and able to return to driving duties
- Vehicles involved are repaired to a safe and legal state prior to being returned to the road
- Incident is fully investigated to determine both primary and contributory factors that led to the collision
- Incident facts are analysed to determine and implement any remedial actions that may prevent similar incidents occurring in the future
- Management responsibilities for collision management have been documented. We have appointed a Road Risk Champion as the person responsible for the maintenance of this policy, its communication and implementation.

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6.2 Incidents

All Incidents must be reported by the local manager using the online report form **ML83**. An incident could involve something that was undesirable but didn't actually result in damage, loss or injury. This could include road rage incidents, verbal abuse, or witnessing an accident.

6.3 Near Miss Reporting

All reported Incidents and Near Misses will be reported and investigated using the near miss reporting book ML73, the online incident reporting system also allows for near miss reports. Alternatively, operatives who have been provided with my mobile worker tablets may use the report near miss function on the software in order to report such an occurrence.

6.4 Reporting of Injury Diseases & Dangerous Occurrences

The Health and Safety Manager will complete the RIDDOR reports for all reportable incidents. The Health and Safety Manager will report the incident within 15 days to the incident reporting centre. In the case of a major injury the incident reporting centre should be informed immediately by telephone followed up within 15 days with a completed F2508 form. Any subsequent contact made by the HSE/ Enforcement Authority to the injured party should be notified immediately to the Health and Safety Manager.

If any member of staff is killed, during working hours the police should be notified immediately followed by the HSE, the Managing Director and Health and Safety Manager.

If a Manager receives a doctor's notification that an employee suffers from a reportable disease then they will inform the HR Department and the Health and Safety Manager who will make any report to the appropriate enforcing authority, which may be either the HSE or the local authority. (Note that the doctor makes the report to the local health authority in respect of contagious diseases) Reportable Disease being one that has a root cause relating to their work activities.

6.5 Accident and Incident investigation

All serious accidents will be investigated. Minor damage such as wing mirrors would not fall under this policy for investigation. The remit of the HSEQ Department is confined to the reporting and where required, investigation of accidents. The coordination of repairs and costings does not fall under this remit.

The Accident record book, the Incident reporting form (**Appendix A**) or the Near miss reporting form (ML73) should be completed as fully as possible.

If RIDDOR the Health and Safety Manager will inform the following persons

- Managing Director of Mervyn Lambert Plant Ltd
- Mervyn Lambert Plant Ltd Finance Director
- Mervyn Lambert Plant Ltd HR Department
- Line manager of the injured party

The Health and Safety Manager will present the findings, to include the following:

- the circumstances surrounding the event;
- the outcomes of their investigation including actions taken or proposed

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Any learning that has resulted from their investigation can be shared across the business to prevent other persons being harmed. Failure to cooperate with an investigation can result in disciplinary proceedings or prosecution of the individual.

For further guidance please see **Appendix B** on accident investigation.

6.6 Records

Records of all reported Accidents, Incidents or Near misses will be held for a minimum of three years. Matter Manager is the system currently utilised to record and track accident events.

Records must be produced on request from HSE or local authority inspectors.

6.7 Deaths at work

Prior to the police arriving, the scene should be protected to prevent unauthorised tampering and immediate action taken to ensure that no further risk remains to others. If a work related death has occurred the first police officer to arrive will take control and initial responsibility of the scene. However, the police may pass this responsibility onto the regulatory authority at an early stage.

An internal investigator for and behalf of MLP shall be appointed. Usually this will be the HSEQ Manager or another appointed manager.

The board of directors should be notified immediately.

The internal investigator shall establish a communication link between the external investigator at a nearly stage and offer any possible assistance ensuring this line of communication is maintained throughout the investigation.

No disclosure will be made to the media until such time as an emergency board meeting has taken place and in association with the lead investigator.

Employees may be briefed that a serious incident has occurred which is the subject of an internal and external investigation and that steps have been taken to ensure their immediate safety. Full details should not be disclosed at that stage.

Any notification of next of kin is to be done in conjunction with the lead investigator.

It would be a natural expectation that during this time other employees may well require assistance and support – this could include contacting their families, dealing with the police, assisting with statements and other paperwork. Any such requirement should be supported by the HR department to ensure that employees are supported during this time. It may well prove necessary to consider longer term support from those most affected and to be mindful of delayed reactions to shock.

7 Training

Information, Instruction and training will be provided to Mervyn Lambert Plant Ltd employees at induction covering responsibilities and the correct method to report an incident. Additional

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requests for training must be made to line managers. On completion of training, the Health and Safety Manager will inform HR to update the training records and personnel files.

8 References

Social Security (Claims & Payments) Regulations

INDG453 (Rev 1) Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

The Management of Health & Safety at Work Regulations

Data Protection Act

Environmental Agency

This policy relates to the following FORS Manual V5.0 Sections: O3

9 Enquiries

For additional information contact the Health and Safety Manager.

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Appendix A – Incident Investigation Report

Incident Report

Action:

From:

Information:

Date:

Re:

Where did the incident occur?

When did the incident occur?

Who was involved?

What happened?

Why did the incident happen?

How can we avoid the incident occurring again?

Any further action?

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Appendix B Accident Investigation Guidance – MLP-HSG-013

It is important to investigate accidents:-

To prevent them reoccurring
In order to report them to the authorities as required
To record the facts for analysis

What should I do if an accident occurs?

Take any and all action to deal with the immediate risks and safeguard the area
Take action to stop something similar happening again
Carry out an investigation
Record the details of anyone that was injured, details of the injury, damage, loss of property, damage to equipment or damage to the environment
Record the details of any witnesses
Use the five W principle, the What, When, Who, Where, Why and finally the How

Consider

Could it happen again?
What was the worst that could have happened?
Were there procedures in place?
Were they followed, if not why not?
Were the procedures good enough?
Were those involved competent enough?
What training and instruction had they been given?
Did they follow their training? If not why not?
Could this have been identified before the accident happened? If so how and what could have been done to avoid it.

To enable an investigation to be completed fully it is important to ensure the following:

- Those involved directly and indirectly should not be blamed.
- Establish the facts as quickly and completely as possible
- Useful evidence such as photographs, drawings, plans and witness statements should be secured as soon as possible
- A timeline should be used to record what happened and when.
- When interviewing clear objective questions should be asked. Interview notes should be dated with a record of all present.
- Witness statements, when voluntarily made, should be dated and signed by the individual and a witness.
- Endeavour to arrive at conclusions as to the cause of the accident on the basis of the relevant facts
- Examine closely any contradictory evidence, never dismiss a fact that does not fit in with the rest, find out more

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Appendix C

ROAD TRAFFIC ACCIDENT

MERVYN LAMBERT PLANT VEHICLE DETAILS

Vehicle Type:..... Registration No:.....

MLP Driver:.....

ACCIDENT DETAILS

Date:..... Time:.....

Location:.....

Speed Travelling:..... Speed Limit:.....

Weather Conditions:.....

Damage to MLP Vehicle:.....
.....

THIRD PARTY DETAILS

Name:.....

Address:.....
.....

Contact Telephone No(s):.....

Vehicle Make and Model:.....

Registration No:.....

Damage (take photos):.....
.....

Insurance Details:

Name of Insurers:.....

Policy No:.....

Details of any injured parties:.....

DID POLICE ATTEND THE ACCIDENT: YES/NO

If **YES**, Station & PC No:.....

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DETAILS OF ANY WITNESSES/PASSENGERS

Name(s):.....

Contact No(s):.....

**DESCRIBE HOW THE INCIDENT HAPPENED
AND ADVISE WHO YOU FEEL WAS RESPONSIBLE.**

DRAW A SKETCH OF THE SCENE OF THE INCIDENT.

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