

Incident, Accident and 'Near Miss' Policy and Procedure

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Purpose	To engender a mature safety culture within the organisation, this policy has been developed to outline local reporting procedures for any accidents, incidents or "near misses".
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This policy can only be considered valid when viewed via the ICB website or ICB staff intranet. If this document is printed into hard copy or saved to another location, you must check that the version number on your copy matches that of the one published.

Document control:		
Date:	Version Number:	Section and Description of Change
26 June 23	2	Section 5 Roles and Responsibilities; Section 5.2 updated to “Chief Executive”. Section 7.6 Procedure: updated email address for incident forms added. Section 8.3 Employee Assistance: updated to reflect current contact details on intranet. Section 12 Monitoring and Review: new paragraph 12.3 added. Appendix J Updated Equality Impact Assessment
7th October 2024	3	Page 1 – Change name and job title of the author of this document Sections updated to reflect current arrangements as per the current policy. Numbers may have changed in this version. 2.3 / 2.4 / 3.1 / 3.2 / 3.4 / 4.2 / 5.1 / 5.2 / 5.3 / 5.4 / 5.7 / 5.10 / 5.11 / 7.3 / 7.5 Removal of the following sections 5.5 – section on H&S reps, First Aiders and Fire wardens, which are not relevant to this policy. This is covered in the Health and Safety Policy. 5.8 / 5.9 removed - referring to reporting IG breaches and EPRR processes. Both are covered on the ICB intranet and processes within each business area. Not relevant to this policy. 6.0 section on Waste Disposal – not relevant to this policy. 7.4 removed relating to IG Breaches covered in IG procedures and processes.

		Section completely revised Section 6 Procedure in this new policy, previously section 7 Procedure, has been updated to incorporate the new incident reporting procedure, providing links to the electronic format. Section Added Section 5.4 is an addition of the role of Head of Risk Assurance and Delivery. Removal of the following appendices as they are not relevant to this policy and have been replaced. Appendix A – Information Governance (IG) Incident Reporting Protocol Appendix B – Part One Incident, Accident and ‘Near Miss’ Report Form Appendix C – IG Breach Reporting Form Appendix E – Risk Assessment Form Appendix F – Health and Safety Audit and Inspection Template Appendix G – IG In and Out of Hours Spot Check Template Appendix H – On-Call Incident Reporting Log Appendices that have been added are as follows. Appendix A - Incident Report Form Appendices that have changed their position in this revised policy Appendix D – <i>RIDDOR reporting process</i> changed to Appendix B Appendix I – <i>Definition of Terms</i> has changed to Appendix C Appendix J – <i>Equality Impact and Risk Assessment Stage 1</i> changed to Appendix D
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1.0 Introduction

- 1.1** To engender a mature safety culture within the organisation, this policy has been developed to outline local reporting procedures for any accidents, incidents or “near misses”.
- 1.2** This Incident, Accident and “Near Miss” Policy and Procedure should be read in conjunction with the Health and Safety Policy.
- 1.3** This policy also outlines the steps the ICB must take to ensure cases of work-related injuries, diseases and dangerous occurrences are reported to the Health and Safety Executive (HSE) within legally defined timescales as per the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).
- 1.4** This policy aims to follow steps outlined in ‘Managing for Health and Safety (HSG65)’ from the Health and Safety Executive (HSE) which describes a balanced approach to treat health and safety as an integral part of good management and best practice. There is an expectation for all managers in line with the Health and Safety Policy within the ICB, to ensure any accidents, incidents and near misses, once reported, are investigated appropriately, immediate actions are put in place and any further corrective actions, or preventative measures are assigned to responsible officers to prevent recurrence.

2.0 Scope of policy

- 2.1** Health and safety at work is the responsibility of everyone, therefore this policy applies to the ICB as an employer and all employees, contractors and any visitors including patients and other members of the public who experience an accident, incident or near miss.
- 2.2** The ICB will ensure that adequate resources are provided to meet legal health and safety standards and provide sufficient information, instruction and training to enable all staff to bring to the immediate attention of their/a manager any failings that could be detrimental to themselves and others, including visitors and report any untoward incidents or unsafe occurrences.

For the purposes of this policy and its associated policies and procedures listed on the front page of this document, any reference to health and safety in the context of the workplace which includes all ICB Offices or a place where a staff member is conducting business on behalf of the ICB in either a clinical or non-clinical setting.

3.0 General principles

- 3.1** This policy should be read in conjunction with other ICB policies but not limited to those mentioned below:

- Health and Safety Policy (HS01)
- Fire Safety Policy
- Risk Management Strategy
- EPRR Incident Response Plan
- Induction Policy
- On-Call Pack
- Absence Management Policy
- Disciplinary Policy
- Harassment and Bullying at Work Policy
- Conflicts of Interest Policy
- Anti-Fraud, Bribery and Corruption Policy and Response Plan
- Information Governance Policy

3.2 Update to procedures and guidance may be produced, as required, by changes in legislation, lessons learnt or in line with best practice.

3.3 Definitions for terms within this policy can be found in **Appendix C**.

3.4 By implementing this policy in line with best practice from HSE Guidance documents HSG65 and HSG245, and other local and national requirements, the ICB aims to ensure that:

- accidents, incidents and near misses are promptly identified
- a 'fair blame' positive culture is created to encourage openness in transparency and reporting
- there is opportunity for the immediate and precise gathering of information including accounts from any persons affected, witness statements, collation of existing risk assessments, chronology of events and other evidence to support investigation
- in the event of incidents which are violent or aggressive in nature, there is opportunity to obtain perpetrator details, if available.
- thorough investigation is carried out where necessary and appropriate, especially in the event of a fatal or major accident/incident.
- actions are implemented to treat the immediate cause of an accident, incident or near miss, for example, repair to estate or property
- distress is minimised for those affected by an incident, accident or near miss by means of various support mechanisms including referral to Occupational Health, crisis and support agencies, other voluntary sector support
- employee sickness and absence is managed effectively as per the Absence Management Policy

- where appropriate and necessary communication is made with staff involved in the incident, enforcement bodies including the Health and Safety Executive (HSE), NHS England, other external bodies and organisations, ICB employees, media and the public
- so far as is reasonably practicable, future risk is minimised by taking further corrective action, preventative actions and renewing risk assessments where appropriate. For risk assessment approach, please refer to the Risk Management Strategy.
- robust governance arrangements are in place to ensure incident data is reported and shared at the most appropriate forum for review and monitoring purposes

4.0 The ICB Health and Safety Management System

- 4.1** The Health and Safety Management System (HSMS) forms part of the ICB's overall risk management system. It provides structure arrangements to reduce health and safety risks associated with the ICB's activities, thereby meeting the requirements of the Health and Safety at Work etc Act 1974 and associated legislation.

The HSMS has been designed primarily to be appropriate to the scope and scale of risk associated with our activities. The framework of documents comprises the following:

- ICB Health and Safety Policy which confirms the ICB Board's commitment to health and safety at work.
- Organisational responsibilities which state the group and individual responsibilities for delivering the Policy commitment.
- A suite of health and safety procedures that specify the standards and requirements that must be implemented in order that the commitment in the Health and Safety Policy is met.

- 4.2** The main elements of our Health and Safety Management System are:

- Strong and effective leadership at every level of the organisation.
- Robust Health and Safety policies, procedures and planning
- A detailed understanding of the risks facing our business and those arising from our activities.
- Implementation of proportionate control measures to eliminate risks so far as is reasonably practicable.
- Measuring the performance by monitoring the effectiveness of policies and procedures, before and after accidents, incidents and near misses.
- Checking and measurement of the effectiveness of risk controls.

- Review performance and acting on lessons learnt from our activities and others' experiences, as well as new research, so that we improve our understanding of risk.

5.0 Roles and responsibilities

The roles and responsibilities in this policy

5.1 Health and Safety Oversight Group (HSOG)

The effectiveness of this policy will be monitored by the Health and Safety Oversight Group. This group will advise on necessary changes to the policy and inform the ICB of those proposed changes for further ratification.

5.2 Chief Executive

The Chief Executive has overall accountability and responsibility for all matters relating to health and safety across the ICB and delegates responsibility to lead persons for the day-to-day management of incidents, accidents and 'near misses'. In addition to these responsibilities, it's the Chief Executives role to ensure that there is enough resource in place to undertake robust investigation and conclusions of reported incidents, including RIDDOR related incidents.

5.3 Director of Strategic Estates, Infrastructure and Sustainability

The responsibility of the Director of Estates, Infrastructure and Sustainability is to provide a safe and secure environment for all the ICB staff, visitors and contractors by adopting a holistic approach in managing health, safety, welfare, fire and security risks of all types which the ICB may be subjected to. They will ensure competently trained professional people are appointed to provide advice and guidance on health and safety compliance, ensure arrangements are in place to monitor, inspect, audit and review health and safety activities, relating to property. This will include ensuring all incidents, accidents and near miss issues are reported in accordance with this policy.

5.4 Head of Risk Assurance and Delivery

Shall ensure there are effective arrangements in place ensuring the ICB will have competent Health and Safety provision to manage and implement and promote a positive the health, safety and security culture. This will include promoting incident reporting, consulting with employees on health, safety and welfare issues and promoting collaborative working with Trade Union appointed Health and Safety Representatives. This will include ensuring all incidents, accidents and near miss issues are reported in accordance with this policy.

5.5 Health, Safety (Fire) and Security Manager (HSFM)

Midlands and Lancashire CSU (MLCSU) provide the Health, Safety (Fire) and

Security Manager and act as the 'Competent Person' for Health, Safety, Fire and Security incidents.

The Health, Safety (Fire) and Security Manager will support or lead any investigation relating to Health, Safety, Fire and Security related incidents.

5.6 Safety Representatives

Staff Side and Trade Unions

Lancashire and South Cumbria will work closely with Staff Side and Trade Union representatives when dealing with all health and safety matters, including reported incident that will affect employees. A close working relationship is important to Lancashire and South Cumbria ICB and will engage positively with concerns raised.

5.7 All Managers

Legal responsibilities for managers are outlined in the ICB Health and Safety Policy. For the purposes of this policy, all managers must ensure that employees report all accidents, incidents and 'near misses' and that measures to prevent a recurrence are implemented through investigation. Managers should consult the HSFM manager for support with potential RIDDOR reportable incidents to ensure we meet the legal requirements.

5.8 Employees

All employees must report any accidents, incidents or near misses. Employees have a responsibility to bring these to the immediate attention of their line manager as soon as reasonably practicable. If they are unavailable, they must inform the next senior manager available.

Employees must take care of their own health and safety and that of others who may be affected by their actions at work.

They must also co-operate with employers and co-workers to help everyone meet their legal requirements.

5.9 Contractors

Contractors must abide by the ICB Health and Safety policy and report any accidents, incidents and new misses immediately to their points of contact. Prior to any deployment, they must provided with a copy of the ICB health and safety policy and this policy. Prior to any deployment they must produce their risk assessments and method statements (RAMS) to a competent person responsible for their work. Contractors will be given their scope of work as outlined in the NHS Standard Contract and it is their responsibility to acknowledge and maintain safe systems of work to reduce the risk to

themselves and others of any exposure to hazards whilst undertaking work on ICB premises.

5.10 Visitors

Any visitor (non-employee or member of the public) including Contractors who are involved in an incident, accident or 'near miss' whilst on ICB premises must report the incident immediately to a senior member of staff and to their own employer where applicable.

6.0 Procedure

6.1 All incidents, accidents and 'near misses' should be reported immediately to a line manager.

6.2 All incidents should also be reported on an *Incident, Accident and 'Near Miss' Report Form* electronically, the contents of which is shown in **Appendix A**. The Accident, Incident and Near Miss reporting can be obtained using the ICB intranet or using the link provided below.

<https://forms.office.com/e/cCvXhtNsrH>

or scanning the QR Code below.



6.3 Any evidence including witness statements, chronologies of events and risk assessments should be appended to the submitting form to support the investigation into the incident, accident or 'near' miss.

If a violence and aggression incident is reported, then perpetrator details should be entered onto the submitting form. All security related incidents must

be reported to HSFM, who is also Violence Prevention and Reduction lead at MLCSU, alongside the incident reporting requirement of the policy.

- 6.4** RIDDOR (Reporting of Injuries Diseases and Dangerous Occurrences Reporting) is the law that requires employers, and other people in control of work premises, to report and keep records of:
- 6.4.1** work-related accidents which cause death;
 - 6.4.2** work-related accidents which cause certain serious injuries (reportable injuries);
 - 6.4.3** diagnosed cases of certain industrial diseases; and
 - 6.4.4** certain 'dangerous occurrences' (incidents with the potential to cause harm).
 - 6.4.5** There are also special requirements for gas incidents (see 'Reportable gas incidents').

RIDDOR's must be reported as soon as possible but no later than 15 days from the date of the incident. Further details and information on RIDDOR can be found in **Appendix B** and at www.hse.gov.uk/riddor/inde.htm

- 6.5** Fatal or major injuries must be reported to the HSE Incident Contact Centre on **0345 300 9923** (*Mon-Fri 8.30-5pm*)
- 6.6** Reporters to detail any immediate action taken following the incident on the electronic incident form, when completing.
- 6.7** Any incident, accident and 'near miss' reported immediately or no more than **2 working days** of accident/incident.
- 6.8** So far as is reasonably practicable, future risk is minimised by taking further corrective action and putting in place any preventative measures. Actions can be detailed on the action plan on the incident reporting form or follow up investigation report. All actions should be assigned to a responsible senior manager and timescales for completion should be specified.
- 6.9** It is the responsibility of the Risk Owner to ensure all specific risk assessments follow the ICBs Risk Management Strategy.
- 6.10** All reported incidents, action plans and risk assessments will be reviewed by the Corporate Governance Team and Health and Safety Oversight Group.
- 6.11** Some specific risks may require broader risk assessment if a recurring theme becomes apparent or if a specific risk assessment prompts review of a larger area/location, i.e. office based risk assessment, security risk assessment. The risk owner should liaise with the Corporate Governance Team in this regard.
- 6.12** Health, Safety (Fire) and Security Manager may from time to time engage with members of staff within ICB premises to carry out a health and safety audit and inspection to help identify priority areas for attention. A full report and findings

including any actions that require undertaking will be provided to the Corporate Governance Team. A significant health and safety breach will be reported to the HSOG by exception who will monitor progress and remedial actions to ensure they have been carried out thoroughly.

7.0 Employee Assistance

- 7.1** The *Absence Management Policy* details the procedure to be followed if an accident results in absence from work. This can be found in the policy store on the intranet.
- 7.2** Following an incident, managers should ensure that staff are given the opportunity to discuss the incident in a debriefing session and receive assistance in the preparation of appropriate incident reports.
- 7.3** Additional support for ICB employees who have been affected by an incident, accident or 'near miss' can be found via the *Employee Assistance Programme* (Vivup) which can be accessed via the intranet: [Employee Assistance Programme \(yourcareeap.co.uk\)](https://yourcareeap.co.uk)

8.0 Emergency assistance

- 8.1** An injury may be dealt with by a First Aider. Details of appointed First Aiders can be found on the Intranet on the 'Health, safety and wellbeing' pages and on poster displays around the ICB premises.
- 8.2** In the event of any incident, accident or 'near miss' involving fire, please refer to the Fire Safety Policy and Procedure and Evacuation Procedure.
- 8.3** For any incidents, accidents and 'near misses' reported through the ICB On-Call Manager and reported on the Incident Report Form using the electronic method explained in **Section 6 – Procedure**.
- 8.4** On-Call Managers must manage incidents, accidents and 'near misses' out of hours by following the on-call pack which is held on Resilience Direct.
- 8.5** Contact details for the Management Executive Team can be located within the on-call pack in the event of an emergency situation and to ensure cover can be fulfilled across the on-call rota.
- 8.6** Emergency response to critical and major incidents should be managed in line with the Emergency Planning Resilience and Response Policy, Major Incident Plan and Business Continuity Plan which can be found on the 'plans publications and policies' page on the intranet.

9.0 Media and press related queries

Any queries from the media as a result of any incident, accident or 'near miss' should be directed immediately to the Communications Team.

10.0 Equality

10.1 The ICB aims to design and implement procedural documents that meet the diverse needs of our service and workforce, ensuring that no one is placed at a disadvantage over others, in accordance with the Equality Act 2010.

10.2 This document has been impact assessed. No issues have been identified in relation to Equality, Diversity and Inclusion. This was completed on 28th November 2024 by the Inclusion Team. A copy of this assessment will be provided upon request.

11.0 Monitoring and review

11.1 Managers are to monitor the effectiveness of the control measures implemented as a result of the risk assessment process to find out how successful they have been. This will allow managers to identify those control measures and strategies that are not working, or which have unforeseen consequences, and modify or replace them where appropriate to contribute to a safe working environment.

11.2 There are two types of monitoring, which managers should carry out:

- *Active Monitoring:* Managers should ensure that systems and procedures are working without waiting until an incident occurs. It will confirm whether agreed procedures are actually being complied with by employees and whether they are workable in the individual circumstances and have the desired effect of preventing accidents or incidents.
- *Reactive Monitoring:* Managers should investigate all accidents, incidents and near misses so that everyone involved can learn from the experience. Information gained from this process will also assist in the effective review, and modification if necessary, of risk assessments and control measures.

12.3 The effectiveness of this policy will be monitored by the Health and Safety Oversight Group. This group will advise on necessary changes to the policy and inform the ICB of those proposed changes for further ratification.

The information used to change this policy may be from, but not exclusively, lessons learnt from incidents/near misses, reported accidents/injuries and/or changes to legislation requirements.

Appendix A – Incident Report Form

Lancashire and South Cumbria ICB Incident Report Form

7 Oct 2024

This form has been created to support LSC ICB staff to be able to report a Health and Safety, Security or other incident type. The report will be reviewed by the Health and Safety Team, who may follow up with further questions and to offer support.

* Required

1. Date reported *

2. Reporters Name *

3. Job Title *

4. Email address:

Contact Number: *

5. Date of when the incident occurred? *

6. Time the incident? *

7. Location of the incident

- ☐ County Hall
- ☐ Health Innovation Centre
- ☐ Satellite location - please provide details
- ☐ Other - please specify

8. Satellite Location (please mark N/A if not relevant)

9. Other work location - please specify (mark N/A if not relevant)

10. Person/s Affected and their contact details? please also state if they are a staff member/member of the public/other? *

11. Are there any witnesses to the incident. if so can you please provide their name and contact details? *

12. Incident Type *

- ☐ Accident / Injury
- ☐ Verbal Abuse
- ☐ Assault
- ☐ Security (Theft/Break in/ Vandalism/ Criminal)
- ☐ Other (non patient)

13. Did this incident result in someone needing medical attention or an ambulance? *

- ☐ Yes
- ☐ No
- ☐ Unsure

14. Please provide a description of the incident: *

15. Please provide details of any injuries sustained? *

16. Were there other person/s involved in the incident? If yes, please provide their name and contact details. (if no, please mark as N/A) *

17. Did the incident/accident involve any perpetrators? (please provide any relevant details or mark as N/A if not relevant) *

18. Was there any equipment involved in the incident/accident? (please provide details and serial numbers, if available or mark as N/A if not relevant) *

19. Details of any action already undertaken? *

20. Can you please rate what you think is the Severity of this incident? *

- ☐ Level 1 - None
- ☐ Level 2 - Minor
- ☐ Level 3 - Moderate
- ☐ Level 4 - Major
- ☐ Level 5 - Catastrophic

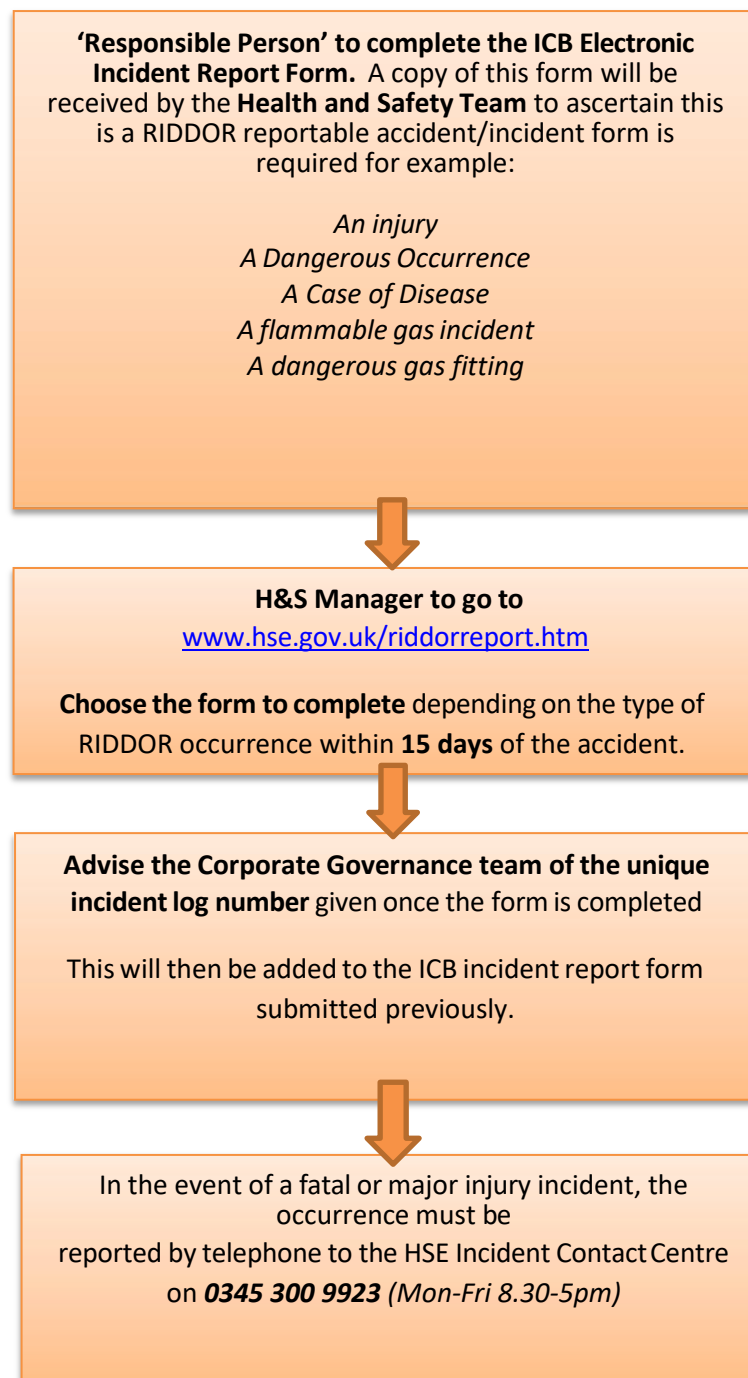
21. Can you please rate what you think the likelihood of this happening again would be? *

- ☐ Level 1 - Unlikely
- ☐ Level 2 - Rare
- ☐ Level 3 - Possible
- ☐ Level 4 - Likely
- ☐ Level 5 - Almost Certain

22. Can you multiply your scores (Severity x Likelihood) and write your score below *

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Appendix B - RIDDOR Reporting Process



Appendix C – Definition of Terms

For the purposes of this policy and procedure, the following definitions apply:

Accident:

An incident which happens unexpectedly and unintentionally (no apparent or deliberate cause) typically resulting in damage, illness, injury or fatality.

Culture:

Ideas, customs and behaviours of a particular group of people or organisation.

Cyber Incident:

A situation where anything that could (or has) compromised information assets within cyberspace. Cyberspace is an interactive domain made up of digital networks that is used to store, modify and communicate information. It includes the internet, but also the other information systems that support our businesses, infrastructure and services.

Damage:

Physical harm that impairs the value, usefulness or normal function of something.

Incident:

An instance of something happening; an event or occurrence.

Information Incident:

A situation which involves actual or potential failure to meet the requirements of the Data Protection Act or Common Law Duty of Confidentiality including unlawful disclosure or misuse of confidential data, recording or sharing of inaccurate data, information security breaches and invasion of people's privacy. Incidents relating to personal data breaches which could lead to identity fraud or have other significant impact on an individual. Incidents apply irrespective of the media involved and includes both electronic media and paper records.

Injury:

Physical harm to damage to someone's body caused by an accident or an attack.

Ill Health:

A disease or period of sickness affecting the body or mind, for example, physical illness, e.g. repetitive strain injury, carpal tunnel syndrome) that is caused or made worse by activities at work or a specified disease (e.g. dermatitis, asthma) as defined in RIDDOR.

Near Miss:

An unplanned event that did not result in injury, illness, fatality or damage but had the potential to do so. Only a fortunate break in the chain of events prevented an injury, illness, fatality or damage.

Risk:

The potential of gaining or losing something of value.

Violence and Aggression:

Violence is the use of physical force with the intent to injure another person or destroy property, for example physical assault of ICB employees **Aggression** is generally defined as angry or violent feelings or behaviour, for example verbal abuse, harassment

Work Related:

Connected to someone's job or with paid work connected with ICB activities and is applicable to ICB employees, Contractors and visitors including patients and members of the public.