

# DURHAM CONSTABULARY



*Altogether Better Policing*

## Health and Safety Reporting Policy

<b>Application</b>	Police Officer, Police Staff and Special Constables
<b>Policy Owner</b>	Human Resources
<b>Version</b>	2
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<b>Next Review Date</b>	12.06.23
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<b>Publication Scheme Y/N</b>	Yes
<b>Durham Constabulary Freedom of Information Act Publication Scheme</b>	



## **1.0 HEALTH AND SAFETY REPORTING POLICY**

### **2.0 PURPOSE AND SCOPE**

- 2.1 This policy serves as a comprehensive guide for Police Officers, Staff and Special Constables on the legal requirements to report accidents, assaults, near misses, injuries and diseases.

### **3.0 THE LEGAL BASIS AND LEGITIMATE AIMS**

- 3.1 Durham Constabulary is required to comply with the requirements of
- The Police Health & Safety Act 1997
  - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013.
  - Working Together to Safeguard Children – Department for Education 2018.
  - Apprenticeship, Skills, Children and Learning Act 2009
- 3.2 Throughout the operation of this policy Durham Constabulary will seek to take the least intrusive action which fits within the working policy criteria and will act fairly and proportionally to achieve the proposed purpose
- 3.3 Durham Constabulary will operate within the policing principles as defined by the College of Policing Code of Ethics and in support of this our policies will seek to promote Accountability, Fairness, Honesty, Integrity, Leadership, Objectivity, Openness, Respect and Selflessness.
- 3.4 The Force recognises the contribution of its entire staff and is committed to creating a fully inclusive working environment. This will be achieved by making reasonable adjustments where appropriate, valuing the differences that a diverse workforce can bring and challenging unlawful and unfair discrimination, bullying, harassment, victimisation and other unfair treatment based on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, ethnicity, religion or belief, sex and sexual orientation.

### **4.0 POLICY STATEMENT**

- 4.1 This policy is to enable the organisation to comply with the relevant legislation to -
- i) Investigate all accidents, incidents, diseases and near misses at work, to provide the organisation with advice on preventative action to reduce injury, ill health and accident loss.

- ii) Submit Reports of Injuries, Diseases and Dangerous Occurrences to the Health and Safety Executive (HSE) within the requirements and timescales of the RIDOR 2013 Regulations.

## **5.0 HEALTH AND SAFETY REPORTING FOR:**

### **5.1 Accidents, incidents, diseases, dangerous occurrences and near-misses**

- 5.1.1 This policy details which accidents, incidents, diseases and dangerous occurrences are to be reported to HSE and by whom.
- 5.1.2 All accidents, incidents, diseases, dangerous occurrences and near misses must be reported by completing an entry on the electronic Origin Health & Safety Reporting System (HSR). These entries may be made by any member of staff. A **near miss** is an unplanned event that did not result in injury, illness, or damage – but had the potential to do so. Only a fortunate break in the chain of events prevented an injury, fatality or damage
- 5.1.3 Health and safety investigations form an essential part of the Health and Safety monitoring process that employers are required to carry out. Incidents, including near misses, can tell you a lot about how things actually are in reality.
- 5.1.4 Investigating accidents and reported cases of occupational ill health will help uncover and correct any breaches in health and safety legal compliance previously unknown.
- 5.1.5 Managers that ensure thoroughly investigation of an incident and implementing any remedial action to prevent further occurrences would help demonstrate legal responsibilities are being met as well as a positive attitude to health and safety.
- 5.1.6 Well thought-out risk control measures, combined with adequate supervision, monitoring and effective management (ie a risk management system) will ensure work activities are safe. Health and safety investigations are an important tool in developing and refining a risk management system.
- 5.1.7 An investigation can help you identify why the existing risk control measures failed and what improvements or additional measures are needed. It can:
  - provide a true snapshot of what really happens and how work is really done
  - improve the management of risk in the future
  - help other parts of your organisation learn
  - demonstrate your commitment to effective health and safety and improving employee morale and thinking towards health, safety and wellbeing of the workforce.

5.2. Supervisory Investigations

- 5.2.1 The circumstances of every accident, incident, diseases, dangerous occurrence and near-miss will be investigated by the supervisor and/or line manager (within their area of control or if they receive an Origin health & safety report) and remedial action will be taken as soon as practicable to institute preventative measures. Following the investigation, the supervisor/line manager will update the Origin health & safety report outlining any actions taken.

5.3. Procedures for reporting accidents, incidents, diseases and dangerous occurrences at work to the HSE:

- 5.3.1 Following supervisory completion of the Origin health & safety report, the details will be assessed by Health & Safety Advisor who is the RIDDOR reporting officer for Durham Constabulary and, if reportable, the information will be reported on line to the HSE within 15 days of the accidents, incidents, diseases and dangerous occurrences occurring.

5.4. Death, Injuries, diseases and dangerous occurrences that are reportable to the HSE.

- 5.4.1 All deaths to workers and non-workers, with the exception of suicides, must be reported if they arise from a work-related accident, including an act of physical violence to a worker.
- 5.4.2 If workers suffer a Specific Injury specified in RIDDOR 2013 then a report to HSE must be submitted. Specified injuries are (regulation 4):
- fractures, other than to fingers, thumbs and toes
  - amputations
  - any injury likely to lead to permanent loss of sight or reduction in sight
  - any crush injury to the head or torso causing damage to the brain or internal organs
  - serious burns (including scalding) which:
    - covers more than 10% of the body
    - causes significant damage to the eyes, respiratory system or other vital organs
  - any scalping requiring hospital treatment
  - any loss of consciousness caused by head injury or asphyxia
  - any other injury arising from working in an enclosed space which:
    - leads to hypothermia or heat-induced illness
    - requires resuscitation or admittance to hospital for more than 24 hours.

- 5.4.3 Incidents must be reported to HSE where staff are injured arising out of or in connection with their work and are away from work or unable to perform their normal work duties for more than seven consecutive days (not counting the day of the accident).
- 5.4.4 Accidents must be recorded, but not reported where they result in a worker being incapacitated for more than three consecutive days.
- 5.4.5 Occupational Diseases - If a member of staff is diagnosed with an occupational disease he/she must advise the Occupational Health Adviser. Where the Disease is likely to have been caused or made worse by their work the Occupational Health Adviser will arrange via the Health & Safety Advisor for the disease(s) to be reported to HSE.
- 5.4.6 Occupational Diseases include (regulations 8 and 9):
- carpal tunnel syndrome;
  - severe cramp of the hand or forearm;
  - occupational dermatitis;
  - hand-arm vibration syndrome;
  - occupational asthma;
  - tendonitis or tenosynovitis of the hand or forearm;
  - any occupational cancer;
  - any disease attributed to an occupational exposure to a biological agent.
- 5.4.7 Dangerous occurrences are certain, specified near-miss events. Not all such events require reporting. There are 27 categories of dangerous occurrences that are relevant to most workplaces, for example:
- the collapse, overturning or failure of load-bearing parts of lifts and lifting equipment;
  - plant or equipment coming into contact with overhead power lines;
  - the accidental release of any substance which could cause injury to any person.
- 5.4.8 Road Traffic Collisions

Any injuries sustained by a Police Officer, Staff or Special Constable as a result of a road traffic collision in connection with their work must be recorded on the Origin health & safety report. These injuries are not, as a matter of course, reportable to HSE; the Health & Safety Advisor will assess the circumstances of the accident and determine if it is reportable.

## **6.0 Sporting Accidents**

- 6.1 Any injury sustained during officer safety training must be recorded on Origin health & safety reporting system.
- 6.2 Police Officers and Staff who sustain an injury playing sport whilst representing the force at a national level must complete an Origin health & safety report. Injuries sustained whilst participating in other sporting activities should not be recorded.

## **7.0 Accidents/incidents on Constabulary sites involving contractors, visitors and members of the public.**

- 7.1 When an accident, incident, disease, dangerous occurrence or near miss has occurred on a Constabulary site, it is the responsibility of the Manager and or Supervisor (who arranged for the Contractor/others to attend the site) to carry out an accident/incident investigation and complete the Origin health & safety report.

## **8.0 Incapacitants**

- 8.1 Those officers who attend an incident where they have used an incapacitant must complete form (Misc 131 – Use of Force). Officers, Staff or Special Constables present at the time that an incapacitant is used by another officer who feel that they have been affected must report the exposure by completing an entry on the electronic Origin Health & Safety Reporting System (HSR).

## **9.0 APPEALS PROCEDURE**

If an individual wishes to appeal against any decision made in connection with this policy, they should write to or email, the Deputy Chief Constable at the below address within 14 days of receiving a decision. The appeal will be considered and consultation will take place with appropriate individuals to establish all facts before a decision with regard to the appeal is made. A response to the appeal will be provided in writing within 10 working days of receipt of the appeal. Should this period not be achievable the individual will be notified in writing when a decision will be communicated.

The Deputy Chief Constable  
c/o Human Resources  
Police Headquarters  
Ayckley Heads  
Durham  
DH1 5TT  
Email [human.resources@durham.pnn.police.uk](mailto:human.resources@durham.pnn.police.uk)

## **DURHAM CONSTABULARY**

### **EQUALITY IMPACT ASSESSMENTS (EIA)**

This form **MUST** be completed by the Policy/Function lead when developing or reviewing policies or procedures which may impact on the way Durham Constabulary conducts its business (both inside and outside of the force) and which may affect one or more of the **NINE 'Protected Groups'** as defined by the Equality Act 2010 i.e. **Age, Gender, Transgender, Disability, Ethnicity, Religion/Faith, Sexuality, Marriage/Civil Partnership and Maternity/Pregnancy.**

The Equality Act 2010 (Section 149) sets out a specific general equality duty for all public sector bodies to, in the exercise of their functions, have due regard to the need to:-

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
3. Foster good relations between people who share a protected characteristic and those who do not.

As a Public Sector organisation we **MUST** show that when we are making decisions of a strategic nature we:-

- Give due regard to the impact it will have on protected groups
- Provide an audit trail of any assessment undertaken which identifies how the policy or procedure is likely to affect protected groups, and
- Undertake an assessment prior to any decisions around policies/procedures being ratified.

**This form should be completed, attached to the relevant policy/procedural document and submitted to the Policy User Group or other strategic group for ratification** (See Section 5) ***NB – use extra sheets if necessary.***

**PLEASE CONTACT AN HR MANAGER SHOULD YOU NEED ANY ASSISTANCE IN COMPLETING THIS FORM.**

<b>SECTION 1 - OVERVIEW OF POLICY /PROCEDURE</b>	
<b>Policy /Procedure Title</b>	Health and Safety Reporting Policy
<b>Person Completing the EIA</b>	Sylvia Horsfield, HR Manager
<b>Purpose of the Policy?</b>	This policy serves as a comprehensive guide for Police Officers, Staff and Special Constables on the legal requirements to report accidents, assaults, near misses, injuries and diseases

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<b>Explain briefly why the Policy/Procedure is being developed/reviewed</b>	This policy now includes the provisions of the Near Miss and RIDDOR policy and the arrangements for student on the PCDA/DHEP programmes	
<b>SECTION 2 – NEGATIVE IMPACT</b>		
<b>Is there potential for adverse impact or discrimination on any of the protected groups mentioned above <i>and what actions if any will be taken.</i></b>	<b>Age:</b>	No potential for adverse impact has been identified
	<b>Gender:</b>	No potential for adverse impact has been identified
	<b>Transgender:</b>	No potential for adverse impact has been identified
	<b>Disability:</b>	No potential for adverse impact has been identified
	<b>Ethnicity:</b>	No potential for adverse impact has been identified
	<b>Religion &amp; Belief:</b>	No potential for adverse impact has been identified
	<b>Sexuality</b>	No potential for adverse impact has been identified
	<b>Marriage / Civil Partnership:</b>	No potential for adverse impact has been identified
	<b>Maternity /Pregnancy</b>	No potential for adverse impact has been identified

<b>SECTION 3 – CONSULTATION &amp; RESEARCH</b>	
<b>Who has been consulted and what Research has been done around Equality during the development/amendment of the policy/procedure?</b>	<p>All support networks.  Force Executive (AC0)  HR Staff  Independent Advisory Groups (IAG's)  Staff associations  Business Disability Forum  Legal Services  Stonewall  Heads of Command</p>

<b>SECTION 4 – POSITIVE IMPACT</b>	
<b>What does the evidence/Research found in Section 2 show with regard to</b>	Investigate all accidents, incidents, diseases and near misses at work, to provide the organisation with advice on preventative action to reduce injury, ill health and accident

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<p><b>positive impact on Equality?</b> <i>i.e. how will the people identified be affected in a good way.</i></p>	<p>loss.</p> <p>Enable the enforcing authority (HSE) to produce national accident/incident statistics and guidelines.</p>
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<p><b>Confirm the above Actions have been incorporated and the EIA is now ready for submission to PUG or other Strategic Group.</b></p>	<p><b><u>Signature</u>...</b> <i>S.A. Horsfield</i>      <b><u>Name</u></b> S.A. HORSFIELD</p> <p><b><u>Date</u></b> 12th June 2020</p>

## SECTION 5 - RATIFY THE POLICY/PROCEDURE

[illegible]

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