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Incident Investigation and Learning Procedure

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Author		Checked by	Approved by	
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Revision History

Revision	Issue Date	Alterations/Additions	Initials
1	21/10/2021	First Issue	MG
2	20/09/2022	No updates identified	MG
3	25/08/2023	Section 5.2 updated to identify when incidents should be investigated internally or externally. PFC updated to reflect the change under 5.2	AS
4	26/07/2024	No updates identified	MG

Associated Documents

Document Type	Number	Title
Template	COMS T089	Incident Investigation Form
Template	COMS T041	Accident, Incident and Near Miss Report

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Reference and Supporting Documents

Table 1 contains the reference and supporting documents for this document.

- Reference documents: documents you have referred to in the text
- Supporting documents: documents which the reader should review alongside this document

Note: a document may be both a reference and a supporting document

Table 1 also demonstrates awareness (not compliance) of the appropriate legislation associated with this procedure.

Table 1 – Reference and Supporting Documents

No	Document Reference	Title	Reference [R] or Supporting [S] Document
1	Regulation	The Management of Health & Safety Regulations 1998	R, S
2	COMS Investigation Form	Incident Investigation Form	S
3	RIDDOR	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013	R,S

1. Introduction

The purpose of this procedure is to clearly articulate the steps required for the investigation of serious incidents, near misses and lost time incidents.

2. Applicable Regulations Considered

There are two main regulations that apply:

a) RIDDOR: Reporting of Incidents, Diseases, Dangerous Occurrences Regulations 2013:

RIDDOR puts duties on employers, the self-employed and people in control of work premises (the Responsible Person) to report certain serious workplace accidents, occupational diseases and specified dangerous occurrences (near misses). Although the regulation does not categorically state that investigation is mandatory there is an inferred expectation that any event reported under RIDDOR would have a full investigation carried out.

b) The Management of Health and Safety at Work Regulations 1999

Regulation 5, requires employers to plan, organise, control, monitor and review their health and safety arrangements. Health and safety investigations form an essential part of this process.

Additionally, for the consideration of Civil Claims:

- c) Following the Woolf Report on civil action, companies are expected to make full disclosure of the circumstances of an accident to the injured parties considering legal action. Investigation findings will provide essential information for insurers in the event of a claim.

3. Key Roles and Contact Details

The following table lists the key roles and contact details associated with this procedure.

Role Description	Name	Contact Details
H&S Director	Mathew Garratt	Mobile: 07875385462
Incident Manager	Dependent on activity or facility	TBN
Appointed Investigation Lead	Dependant on incident type and severity	TBN
Health & Safety professional	David Mason Elsa Mason	Mobile: 07488 263184 Mobile: 07793 365557

Definitions, Roles and Responsibilities

Incident Manager – normally the manager first on the scene who takes control of the situation, deals with any injured party, makes the area safe, segregates the area and stops operations if required.

Investigation Lead – can be the incident manager who assumes the role once the immediate actions have been completed. The person leading the investigation will initiate and complete all relevant evidence gathering and pull together the 'investigation pack' using the Incident Investigation Form.

Injured Person(s) – For injury incidents the priority is to prevent further harm and to promote recovery. It is likely that those injured will need to provide statements and may need to be formally interviewed. Injured persons are expected to cooperate but must not be placed under undue stress or duress.

Witnesses – as well as injured persons being a witness, there may be other credible witnesses who can help build up the timeline of the sequence of events leading to an incident and to corroborate what actions took place after the incident. Witnesses may come forward or may need to be invited to help. Conversations, either face to face or over the telephone, should be written as transcripts.

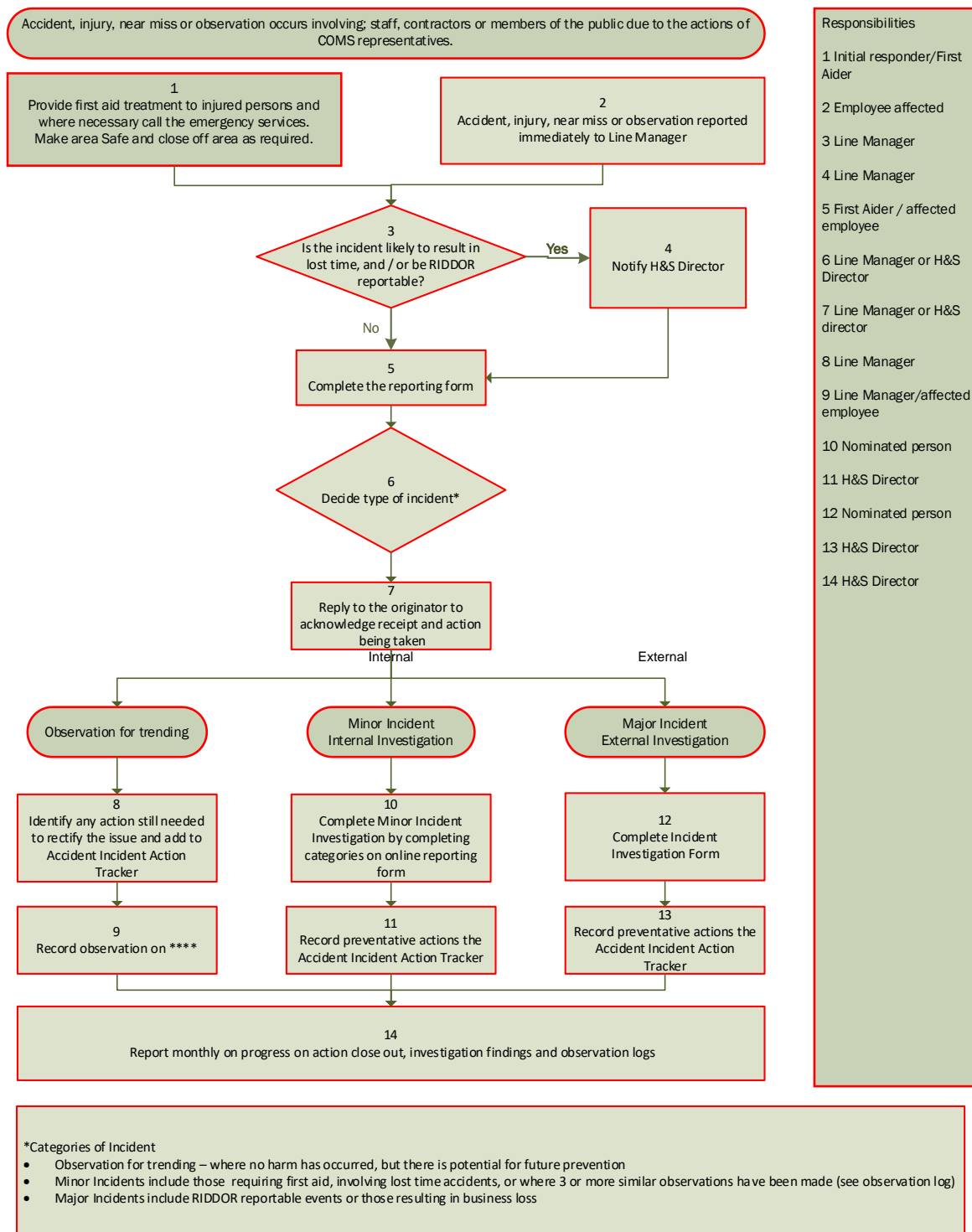
Health & Safety Professional – unless requested by senior management to lead the investigation, the safety professional will act to provide guidance and support to the investigation and act as independent reviewer if required.

Senior Management – Senior management will review the completed investigation to determine completeness and suitability of intended actions. The appointed senior manager may direct further investigation work or deem the investigation as closed.

4. Procedure Flow Diagram



Incident Investigation Flowchart



5. Procedure – Carrying out an Investigation

5.1 What will be investigated?

The following categories of incident must have an investigation completed:

- Employee or a contractor where medical treatment from emergency services or from a medical centre is required
- Employee or a contractor resulting in lost time
- Incident that has prevented the operation from proceeding safely
- Damage to property or reputation, emergency services in attendance
- Serious near miss – incident that could have resulted in serious injury or significant damage
- Non-injury vehicle related incident, or vehicle to person near miss

COMS wish to learn from experience, therefore the investigation process may be invoked to investigate other dangerous occurrences or incidents, as directed by senior management

Minor injury incidents and near miss incidents will be investigated at local level by competent functional managers. Such investigations can utilise this process and its associated forms.

5.2 Who will complete an investigation?

Investigations will be led by a competent investigator. Minor incidents will be investigated internally, and major incidents will be investigated by a suitably qualified external investigator. Functional heads of department, who are accountable for the safety of people, are to ensure appropriate investigations are completed in a timely manner by a competent investigator. They may themselves be trained and competent to complete investigations; in the interest of the good practice of maintaining independence, a manager can choose to use an investigator from outside their own department. Depending on the nature and complexity of the incident, the lead investigator may decide to form an investigation team and produce an investigation plan. In addition, senior management may direct a particular approach to the investigation, appoint the lead investigator and nominate mandatory team members. A pre-requisite requirement for anyone involved in investigation is that they must have completed the investigation training.

5.3 How will an investigation proceed?

There are 3 principal phases to an investigation:

- Determine the facts
- Evaluate findings and determine root cause and contributory factors
- Develop an action plan

Determine the Facts

The immediate actions for an incident will be completed by the location manager who may be the person responsible for leading the subsequent investigation. To determine the facts surrounding the incident it is necessary to gather evidence and build up the sequence of events leading up to the incident, the details of the incident and the immediate post incident recovery actions. The incident manager may have started completing a COMS Incident Investigation Form and the investigator should continue the completion or raise the form if not started. Section 2 of the form should be used as a guide to start gathering evidence.

For the majority of serious incidents, it will be necessary to visit the location. The purpose of the visit is to collate, copy documents and review evidence gathered so far. In addition, further photographs can be taken, along with viewing and obtaining of CCTV footage, and in addition discussions or formal interviews can be arranged. It is recommended that detailed notes are kept throughout the investigation process.

Interviews with witnesses and transcripts of any relevant conversations must be recorded on the COMS Witness Statement Form.

It is recommended that an 'electronic file' of evidence is compiled which will ease the task of distributing to reviewers or releasing managers.

Evaluate Findings

The investigator must use the evidence to determine the root cause and contributing factors. Depending on the findings, it may be necessary to develop a timeline for the events. In addition, techniques such as 5 Whys or 8 D's (taught on investigation training workshop) can be used. The analysis of the initial investigation findings may lead to further required work. This iterative approach should continue until it is felt that the cost and time to establish further findings verses the benefit from further work is not justifiable.

The outcome of this phase of the investigation must be recorded at section 9 and 10 of the Incident Investigation Form.

Develop an Action Plan

Once the findings and subsequent root cause and contributory factors have been established it is necessary to develop an improvement plan based on corrective and preventative actions. The actions must be initiated in order to reduce the risk of a reoccurrence of the incident. All recommendations and actions must be recorded in the table at section 11 of the Incident Investigation Form. Actions must be SMART:

- Specific
- Measurable
- Achievable
- Realistic
- Timebound

Recommendations will normally request follow on work to be completed such as a study into a possible fundamental change or where the suggestion requires a mini-project to be run.

5.4 Recorded Details – The Investigation Pack

It is essential that a comprehensive record of the investigation is produced. The COMS Incident Investigation Form acts as the main means of recording the detail of the incident and the subsequent outcomes of the investigation. The completed form plus any supplementary documented evidence such as photographs, witness statements, copies of documents, will form the completed document set known as, “The Investigation Pack”.

All elements of the investigation pack should be saved in electronic format. Final signed copies of documents should be scanned and saved as PDF documents.

5.5 Implementing and Tracking Actions

Once the investigation has been recorded, reviewed and authorised for release, operational management should work with the safety team to communicate and implement planned actions in a timely fashion.

Under normal circumstances the accountable manager for the area of the incident is responsible for ensuring all actions are completed in the timescales suggested or for agreeing changes to due dates for actions. The senior manager who authorises the release of the investigation report is responsible for the final action completion check and closure of the investigation report.

5.6 Training and Competence

The Health & Safety Director has undertaken a suite of Health & Safety training inclusive of Managing Safely, IOSH and NEBOSH and is overall responsible for managing investigations. All minor incidents will be investigated internally. Any major incidents will need to be investigated by a suitably qualified external provider.

6. Abbreviations

Abbreviation	Description
CDM	Construction Design and Management
HSE	Health and Safety Executive
IMS	Integrated Management System
LFE	Learning From Experience
COMS	Cumbria O&M Services Ltd

7. Distribution

Reviewer(s)	M. Garratt		
Independent Reviewer(s)	D. Mason		
Distribution Group(s)	Doc Admin	<input checked="" type="checkbox"/>	This should always be included
	COMS Staff	<input checked="" type="checkbox"/>	
	Other	<input type="checkbox"/>	

8. External Distribution

Name
None