

Service Circular No 39

Accidents and Serious Occurrences including Violence to Staff

Issued: February 2013



Falkirk Council
Education Services

1. Correspondence with injured persons, parents or next of kin

In the event of an accident or serious occurrence of any kind, involving a pupil, an employee or any other person, which takes place on property or in a vehicle owned by Falkirk Council (for this purpose school minibuses are considered as being owned by Falkirk Council), or on an excursion, Heads of Establishments must not enter into correspondence with parents or next of kin.

All correspondence should be acknowledged and passed unanswered to the Director of Education for onward transmission to the Insurance Section in the Chief Executive's Office.

No matter what the circumstances of the accident are, no admission of liability should be made since this would prejudice the council's position if an insurance claim were submitted at a later date.

2. Recording of accidents and serious occurrences

Several reporting structures exist for recording accidents and serious occurrences and any one incident may need to be reporting using more than one of these. Which is appropriate depends upon the nature of the incident and how serious any injuries are. The forms used for each type of incident are as follows:

- HR14 - to fulfil its legal duties under health and safety legislation, Falkirk Council operate a reporting procedure using the HR14 form. This is used to record all incidents occurring on council premises and should be completed in all cases. Near misses are also recorded using this form. All incidents of violence to staff should be reported using this form, whether or not they resulted in an injury.
- F2508 - The Reporting Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) requires that an additional form be submitted to the Health and Safety Executive in certain cases. These are outlined below. The form can be obtained from www.hse.gov.uk/riddor
- MAHRS - as a member of the Multi-Agency Hate Recording Strategy, the MAHRS form should be completed where an incident stems from prejudice relating to any of the nine protected characteristics (see below).

In addition, any serious incident or near miss that might result in press coverage should be reported to the Director of Education's office (01324 506680) as a matter of urgency.

2.1 Minor injuries

Examples of minor injuries are listed in Appendix 1. These should be recorded using Form HR14.

If any loss of work occurs, the incident must be reported using form HR14.

2.2 Reportable incidents

The following are defined as reportable accidents under RIDDOR.

- fatalities
- major injuries (see Appendix 1 for examples)
- where a person has been kept in hospital more than 24 hours
- loss of more than 7 days work due to injury, including Saturday and Sunday but not the day of the incident.

The HSE's form F2508 **must** be completed with 10 working. This is a legal requirement.

Form HR14 must be completed.

In the case of a major injury or fatality, Falkirk Council's Principal Health and Safety Adviser (telephone 01324 506245), the HSE Incident Control Centre (see for F2508) and the Director of Education's office (01324 506680) must be notified immediately.

2.3 Trivial injuries, near misses and incidents with no apparent injury

There is no requirement to report these but in some cases they might highlight a potential area of concern. If a member of staff feels that there is potential for a more serious injury to occur, such incidents should be recorded using form HR14.

2.4 Incidents of violence to staff

In accordance with Falkirk Council policy, all incidents of violence to staff must be reported using form HR14. This includes incidents of verbal aggression. Where violence to staff is of a prejudice based nature the MAHRS form must be completed (see 2.5).

Where applicable, serious incidents should be reported to the HSE as detailed in this Circular.

Further information about the Council's Violence to Staff policy is available on the intranet at

http://underground.falkirk.gov.uk/employee/strategies_policies_procedures_guidance/health_safety_care.aspx

2.5 Incidents of a prejudice based nature

The Equality Act 2010 brought in a duty for local authorities to promote equality against the seven equalities domains: race, gender, disability, religion/faith (including absence of faith), sexual orientation, age and socio-economic status. To fulfil its obligations, Falkirk Council and its partners in the MAHRS Strategy have put in place a system of reporting serious incidents of a prejudiced based nature.

These reporting systems are outlined in Service Circular 15, which should be consulted if you feel that the incident may be prejudice based.

2.6 Incidents occurring outwith Falkirk

Where an incident occurs outwith Falkirk, for example on an excursion, the incident still requires to be reported on the appropriate form.

3. **Distribution**

All forms must be completed and sent within 10 working days.

If an incident occurs immediately prior to school holidays, it must be completed prior to the end of term.

HR14

1. Original held in the establishment
2. Copy to:
Employee Care and Development Section
Corporate and Neighbourhood Services
Municipal Buildings
Falkirk
FK1 5RS
3. Copy to:
Risk Assessment Co-ordinator
Education Services
Sealock House
2 Inchyra Road
Grangemouth
FK3 9XB

F2508

original forms can be completed online at
<http://www.hse.gov.uk/forms/incident/index.htm>

You should print out a copy (using the preview form button) then send copies to:

1. Employee Care and Development Section
Corporate and Neighbourhood Services
Municipal Buildings
Falkirk
FK1 5RS
2. Risk Assessment Co-ordinator
Education Services
Sealock House
2 Inchyra Road
Grangemouth
FK3 9XB
3. Copy to be held in the establishment.

Minor injuries

Minor injuries include incidents where a person has:

- received minor injuries (cuts, bruises, bumps etc); or
- received local first aid; or
- left their place of work for more than 15 minutes (employees only).

Major injury

1. Any fracture, other than to fingers, thumbs or toes.
2. Any amputation.
3. Dislocation of the shoulder, hip, knee or spine.
4. Loss of sight (whether temporary or permanent).
5. A chemical or hot metal burn to the eye or any penetrating injury to the eye.
6. Any injury resulting from an electrical shock or electrical burn (including any electrical burn caused by arcing or arcing products) leading to unconsciousness or requiring resuscitation or admittance to hospital for more than 24 hours.
7. Any other injury:
 - (a) leading to hypothermia, heat induced illness or to unconsciousness;
 - (b) requiring resuscitation;
 - (c) requiring admittance to hospital for more than 24 hours.
8. Loss of consciousness caused by asphyxia or by exposure to a harmful substance or biological agent.
9. Either of the following conditions which result from the absorption of any substance by inhalation, ingestion or through the skin:
 - (a) acute illness requiring medical treatment;
 - (b) loss of consciousness.
10. Acute illness which requires medical treatment where there is reason to believe that this resulted from exposure to a biological agent or its toxins or infected material.

Guidance notes on accident/occurrence report form HR14

Section 1

In the case of an adult, the injured person would normally complete this section.

In the case of a pupil, only the appropriate details would be completed and the member of staff dealing with the accident would normally do this.

Section 2

This should be completed by the injured person in consultation with the person investigating the accident or occurrence. In the case of a pupil or person under 16, the person investigating the accident or occurrence should complete this section.

Section 3

Please ensure the date and time is completed. Under type of accident please tick all boxes which apply. The description of accident or occurrence should include what happened and how. Description of the injury should be completed with reference to Appendix 1.

Section 3b

This should be signed by the injured person or, in the case of a young person under 16, by a parent or carer.

Sections 4, 5, 6 and 7

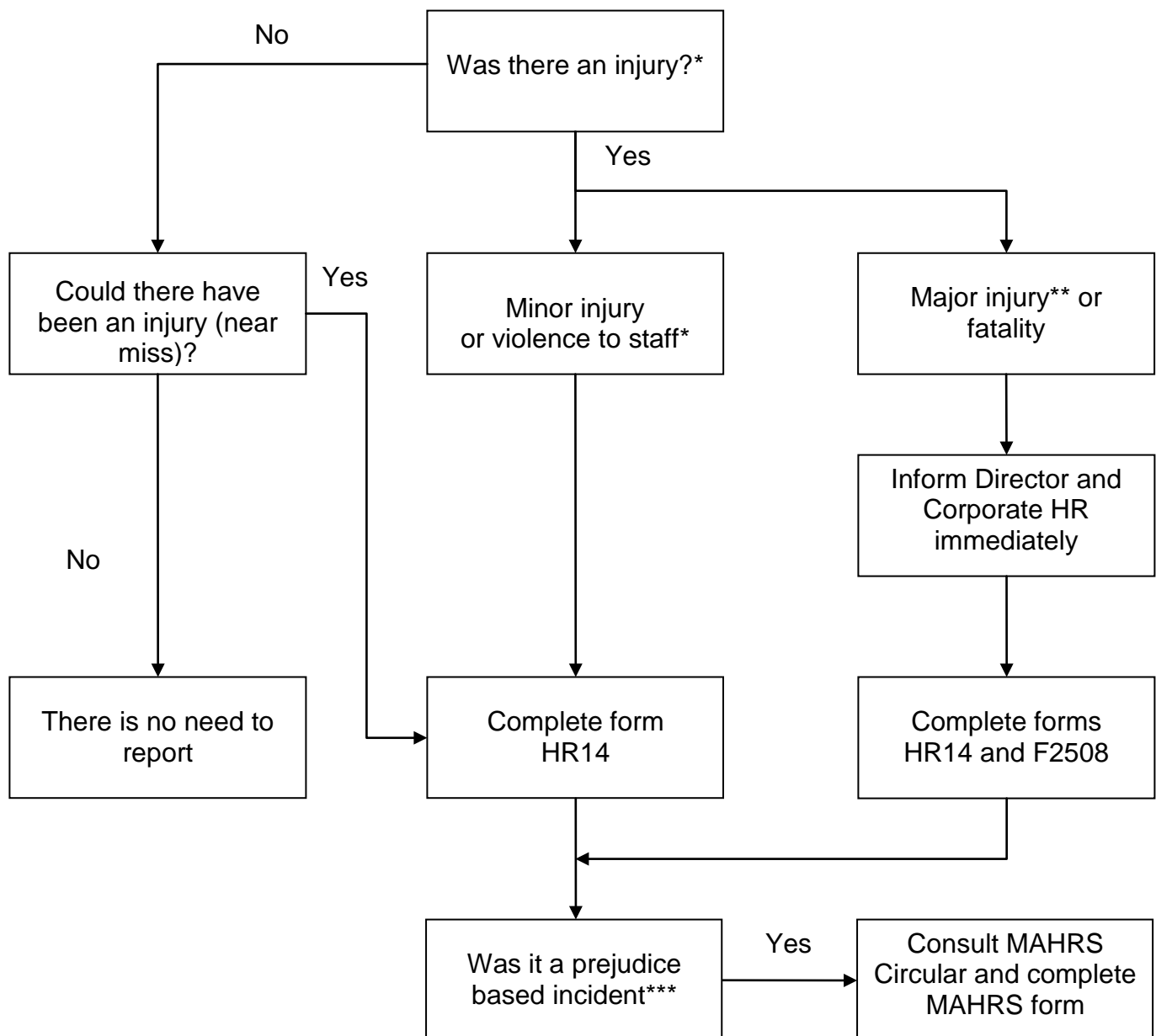
These should be completed by the line manager or premises manager.

Section 8

This section should be completed by any witness to the incident. Additional copies may be included if there was more than one witness.

Section 9

This section is included to meet our legal obligations under the Equality Act 2010. The injured person or their parent/carers should be asked to complete this, at an appropriate time, possibly some times after the incident/accident. Completion of this section is not compulsory.



*see section 2.1 for definition of minor injury

**see Appendix 1 for definition of major injury

***as described in Service Circular 15 MAHRS Protocol for Schools.

If the incident may attract press coverage you must contact the Director of Education's office on 01324 506680 immediately.

Guidance notes on report of an injury or dangerous occurrence (F2508)

The headteacher/manager shall identify if the accident/incident is reportable under RIDDOR, (The Reporting of Injuries, Disease and Dangerous Occurrence Regulations 1995).

If so, form F2508 will be filled in at the same time as form HR14.

The headteacher/manager will fill the form in.

Part A

Box 4: Falkirk Council - Education Services

Box 5: Sealock House
2 Inchyra Road
Grangemouth
FK3 9XB

Box 6: Local Authority

Part B

Box 3: This will normally be "No"
"elsewhere in your organisation" will be any educational premises in Falkirk Council, most likely your own building.

Part C

What about pupils and other people who are not at work?

You need to report an accident that happens to someone who is not at work, eg pupil or visitor if:

- The person involved is killed or taken to hospital; **and**
- The accident arises out of or in connection with work.

How do you decide whether an accident "arises out of or in connection with work"?

An accident will be reportable if it is attributable to:

- work organisation, eg the supervision of a field trip
- plant or substance, eg lifts, machinery, experiments, etc
- the condition of the premises.

Playground accidents due to collisions, slips and falls are not reportable unless they arise out of or in connection with work, eg the condition of the premises or equipment, or the level of supervision.

Part F

Dangerous occurrences

The majority of dangerous occurrences do not relate to circumstances which would arise in any educational establishment. If a dangerous occurrence, such as fire or explosion, were to happen other services, such as Police or Fire and Rescue Service would be involved.

The RIDDOR form can be submitted in one of three ways details of how to submit a RIDDOR form are available on the HSE website: www.hse.gov.uk/riddor/