



The importance of accident/incident investigations

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Why investigate incidents?



Legal requirement



Real life snapshot



Employee morale



Essential part of the monitoring process



Review HSMS



Criminal prosecutions



Identify gaps in legal compliance



Learning opportunities



Civil claims

What to investigate?



ACCIDENTS

An event that results in injury.



NEAR MISSES

An event not causing harm, but which has the potential to cause injury or ill health.



DANGEROUS OCCURRENCES

One of a number of specific, reportable adverse events, as defined in RIDDOR.



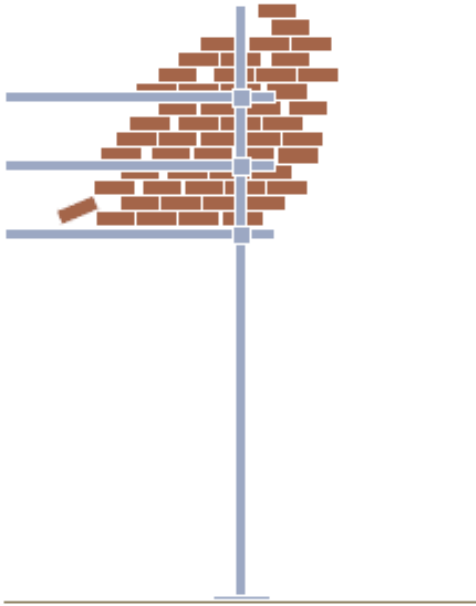
UNDESIRED CIRCUMSTANCES

Conditions or circumstances that have the potential to cause injury or ill health.

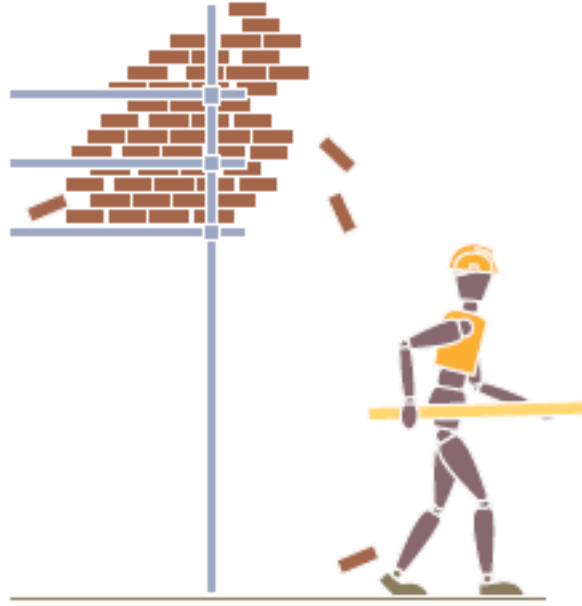


WORK-RELATED ILL HEALTH

Physical or mental ill health that is alleged to be caused or made worse by work activities.



**Undesired
circumstance**



Near Miss



Accident

Investigation process

1. Information gathering



2. Analysis



3. Risk control measures



4. Action plan and implementation



Investigation Report and Evidence Pack

Accident Investigation: Claims defensibility basics

- 1** Investigation AFTER factual evidence gathering
- 2** 'Knee jerk' actions or conclusions
- 3** Triage investigation to reflect claim potential
- 4** Investigate absence conditions that may be work related
- 5** Unsafe act or unsafe condition....condone or condemn
- 6** Validate effectiveness of your SMS
- 7** Can the investigation evidence employee competence
- 8** Consider human factors and your safety culture!
- 9** Liability considerations when completing reports

What's in a few words?

Accident (slip on wet floor) alleged to have occurred on Monday.

Witnesses saw Claimant fall and twist his knee on the day before playing pub league football.

No witnesses to alleged workplace accident – Claimant worked all day - reported to line leader at the end of shift.

Consulted GP a week later. Noted:- “Knee injury last week”.

On accident form, having interviewed Claimant, line leader writes (in cause of accident section): *“Terry injured his knee when he slipped on the wet floor in the warehouse”*

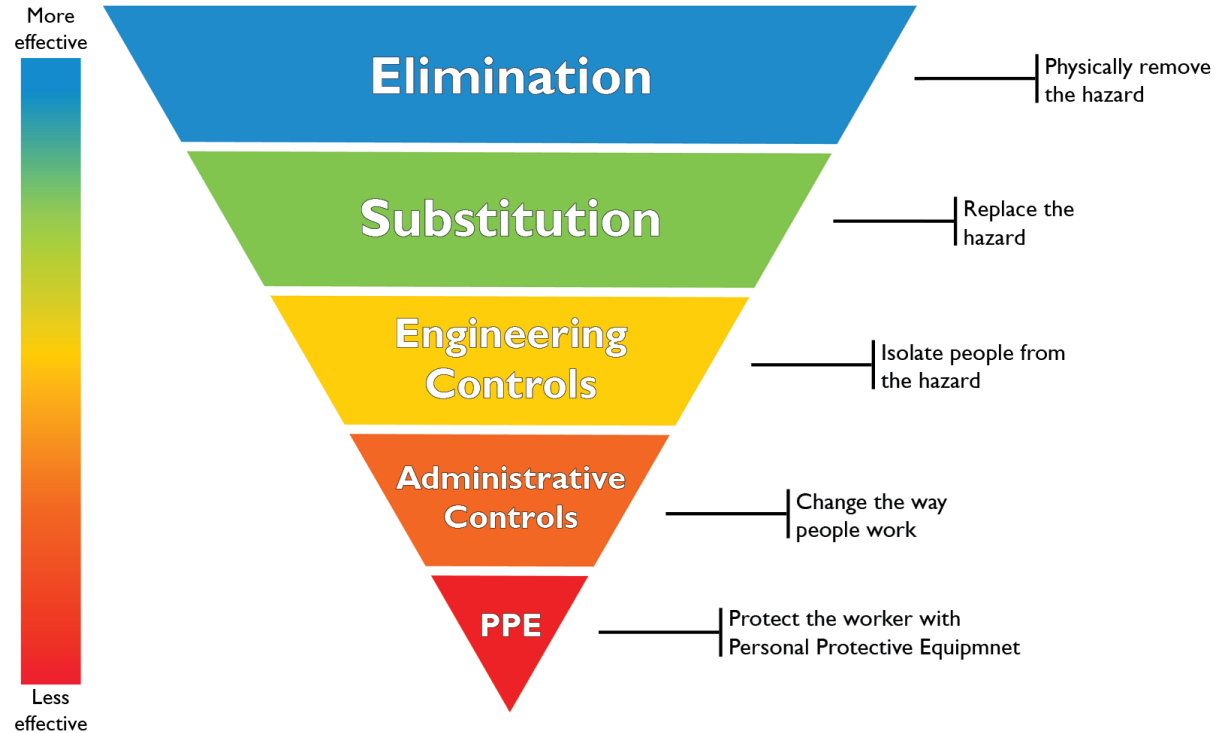
Judge's comments:



“Whilst I acknowledge the persuasive nature of the evidence of the witnesses regarding the Claimant suffering his injury whilst playing football, the Claimant’s evidence is of course supported by the contemporaneous documentation which records unequivocally that the injury was sustained in the manner alleged.

I therefore find that the Claimant in this matter did sustain an injury to his knee at the place and time he alleges and I further find that the circumstances prevailing placed the Defendants in clear breach of their numerous duties to the Claimant as has been alleged.”

Remember the hierarchy of controls



Strategic Objective 2



By 31 December 2024

- Review your existing accident/incident investigation procedures by comparing these against the HSE guidance [HSG245 'Investigating accidents and incidents'](#).
- Ensure you have a system in place for demonstrating that all identified corrective actions as part of the investigation are prioritised, allocated, acted upon, and monitored to ensure they are not delayed or forgotten.

By 31 March 2025

- Ensure all sites have in place an accident/incident investigation team at all sites, with appropriate training provided.

Don't forget defensibility (Civil & Criminal)



10 key take-aways

1. Is our incident reporting, evidence gathering, and investigation procedure clearly defined?
2. Is the depth of our investigations based on potential severity and claims potential?
3. Do our investigations consider human factors?
4. Do our recommendations and risk assessment reviews consider the hierarchy of controls?
5. Does the outcome of investigations uncover the true underlying/root causes?
6. Are actions tracked to completion and validated?
7. Do we analyse data/trends and look at the bigger picture of what's really happening in our business?
8. Is sufficient action taken on 'red flag' hazards and near miss events?
9. Are our investigators competent to conduct thorough investigations at the level required?
10. Do we learn from civil claim investigations and test our disclosable documentation?

Thorough accident investigations are the perfect opportunity to validate the effectiveness of your HSMS. Civil claims are the ultimate test of the effectiveness of your HSMS.

Independence changes everything.



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UNCOMMONLY INDEPENDENT

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