



**Somerset  
Council**

# **HSG03 Reporting & Investigating H&S Incidents Guidance**

<b>Organisation</b>	Somerset Council
<b>Title</b>	HSG03 Reporting & Investigating Health & Safety Incidents Guidance
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## Purpose of this Guidance

This Guidance is designed to assist Somerset Council employees to carry out their duties, in line with Policy, HS03 Reporting & Investigating H&S Incidents.

Recording and **reporting** of accidents and health and safety incidents is essential to ensure organisations learn when things go wrong, so we can plan to make sure that they do not happen again.

The purpose of this Guidance is to explain when and how accidents or incidents need to be reported. It explains the difference between internal reporting processes and means of notifying the HSE of incidents that meet specific criteria.

It sets out the different internal reporting processes, indicates the subsequent management action that needs to be considered and how to get further help.

Whenever the phrase “it was an accident waiting to happen” is heard, it is a sign that harm could have been prevented. If previous incidents or concerns had been reported and investigated, steps could have been taken to prevent the accident.

If the accident is serious, the regulatory authorities will take a firm line if previous warnings had been ignored. Therefore, identifying the causes, and learning lesson from incidents (including near misses), is crucial to help us prevent things going wrong in the future.

Also, the fact that an accident was **investigated** and action was taken to prevent it happening again would demonstrate to a court that there is a positive and responsible attitude to health and safety.

Finding out why accidents happened can also give a true snapshot of what really happens and how work is really done. People may find short cuts to make their work easier or quicker and may ignore rules. An investigation, therefore, is an opportunity for managers to gain greater understanding of how work activities are carried out, the problems faced by employees and others, and the effectiveness of the measures have been put in place to prevent things going wrong.

This Guidance will help managers to understand how to carry out such an investigation. It explains that the level of the investigation needs to be proportionate to the significance of the event.

## What is a H&S Incident?

- A ‘H&S incident’ refers to an accident, occupational ill health, a near miss, a dangerous occurrence, an incident of work-related violence or a driving accident while on Somerset Council (SC) business.
- A ‘near miss’ is an unplanned event that did not cause injury or damage but could have done. For example, a heavy item fell from height and narrowly missed somebody.
- A ‘dangerous occurrence’ is an unplanned event, which meets the criteria for the term contained in the [RIDDOR - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations](#)

- ‘Occupational ill-health’ can be cited where work activity has caused or contributed to a medical condition. It must be supported by a medical judgement. Further guidance can be obtained from the Health and Safety Service.
- ‘Work-related violence’ refers to incidents of assaults, threats or abuse suffered by employees while at work.
- ‘Third parties’ are non-employees who use SC facilities or buildings. They include pupils, service users, visitors, contractors and other members of the public.
- ‘Work-related’ incidents comprise those, which were at least partially caused by a defect in the state of the premises or equipment, how a situation was organised/managed or by the actions/inactions of the people involved in a work situation.
- Accidents/Incidents are ‘recorded’ on the [EEC system](#) (schools) and reported via the [Incident Reporting app](#) (corporate), ‘reported’ to management and ‘notified’ to the Health and Safety Executive as appropriate.

## Which H&S incidents need to be recorded?

### 1. Which employee incidents need recording?

All H&S incidents to SC employees whilst at work must be recorded within SC systems regardless of where the incident occurred.

Common sense should be applied when judging whether to report ‘trivial’ incidents such as paper cuts. Sensible criteria should include:

- Can we learn something from this incident?
- Was there potential for harm? In other words, could the incident easily have been much worse?
- Does the employee want the incident recorded?

By following these criteria, we should be able to ensure that incidents are recorded, and the relevant lessons learnt, without causing unnecessary bureaucracy.

### 2. Which “third party” incidents need recording?

If the incident was ‘work-related’ (see [work-related](#) above for a definition of this term), H&S incidents to third parties must be recorded.

Examples of ‘work-related’ incidents include:

- Due to a missing part, a bed collapses, injuring a service user’s hand.
- A member of the public trips over a loose piece of carpet in a reception area.
- A pupil slips on food on a canteen floor.
- A leisure centre user is injured by faulty gym equipment.
- A visitor sits on a chair and the chair collapses.
- A (self-employed) contractor falls off a ladder on SC premises.

If you are in any doubt about whether an incident involving a third party should be recorded, please contact the Health & Safety Service.

### *3. What about “trivial” third party incidents like bumps in the playgrounds to pupils?*

Schools can use a “bump book” that is suitable to record playground accidents that lead to grazes and bumps to pupils and result only in minor first aid.

There is no need to report these incidents to the Health & Safety Service unless they lead to management action. In other words, ask yourself the question “Is there a learning opportunity here?”

An example of a typical ‘bump book’ entry:

- A pupil falls over in playground and grazes their knee. No other factors were involved. The wound is cleaned, and dressing applied.

### *4. Why report work-related ill-health? Isn't reporting only applicable for accidents?*

Many more working days are lost in the UK due to work-related ill health than due to accidents at work. Whilst this is not likely to be the case in SC it is felt that there is significant under-reporting in this area.

The SAP on-line process provides the opportunity to record instances of work-related ill health. Examples are occupational asthma; dermatitis from a chemical at work; occupational noise induced hearing loss; or back strain due to the cumulative effect of repetitive manual handling activity; work-related stress.

In many cases these may be ‘chronic’ conditions, i.e. they have developed over a period of time rather than being caused by a single event.

SC must record this information as it has the same duty to aim to prevent work-related ill health as with accidents at work. Such incidents can involve long, costly absences from work.

The date when the employee first became aware of the condition should be used as the date that the incident occurred.

### *5. Do all incidences of work-related violence need to be reported?*

The Health & Safety Service wants to know about incidents where individuals are physically assaulted or verbally abused in circumstances relating to their work, and where these incidents upset them or make them feel unsafe.

Some employees work in environments where aggression is common, due to behavioral issues of some service users or pupils. In these environments, it is important that a balance is struck between the need to report incidents of violence and purpose of the service being provided. Refer to the SC work-related violence policy in the Policy Manual ([HS 011](#)).

It is recognised that what is deemed acceptable behavior to some employees is not to others. So, a good question to use for what is reportable is: “Do you feel you shouldn't have to put up with this in your job?” If so, you should report it.

When incidents occur that involve behaviour beyond that which is expected then those incidents should be reported.

## 6. Why does the Health & Safety Service want to know about driving accidents?

Driving for work accidents must be reported and driving for work is classified as driving or riding between SC establishments for work purposes and traveling to and from a place of work where mileage is payable by the Council (except for re-location expenses).

If you have an accident while commuting to or from your normal place of work, then you do **not** need to report the accident, because you are not 'at work'. However, any journeys to other venues on behalf of SC would count as being 'at work'.

The SC Driving your personal vehicle for work policy is here: [HS 014](#).

## Manager's actions upon receiving details of an accident/incident

1. Make an initial inquiry of the causes and decide if a) any actions are required to prevent a recurrence, and b) whether a full investigation is required.
2. Review and update the report on EEC or the Incident Reporting app as appropriate with details of management actions and proposed actions.
3. Review and close the report when all necessary actions have been completed.

## Notification to the Health and Safety Executive (HSE)

**There is a requirement under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations** to notify the HSE of any incidents resulting in:

- Fatalities.
- Major injuries to employees and non-employees.
- Accidents to a third party (i.e., a non-employee) that was caused by a work-related issue; AND leads to a visit to hospital from the scene of the accident e.g.
  - A service user is scalded after a failure of a thermostatic mixer valve (which should regulate water temperature) and they go to hospital.
  - A pupil slips over on a wet floor and bangs his head. They are then taken to hospital.
- No injury - but would have been very serious if someone had been present, e.g.
  - A high wall collapses alongside a pavement.
  - A boiler or gas fitting explodes.
- Incident resulting in over 7 consecutive days of incapacity for work.
- Occupational disease.

**Reporting to the HSE is achieved as follows:**

- a) **EEC (schools) & Incident Reporting app (corporate)**

Health & Safety Service Officers screen all submissions before reporting takes place. HSE submissions are managed by the Health & Safety Service, but VA and Foundation schools must submit their own reports.

***b) I've recorded an accident/incident that has been reported to the HSE. What next?***

If you are an SC employee and the report is on EEC or the Incident Reporting app, Health & Safety Service Officers will review the report and the actions that have already been taken. If necessary, a Health & Safety Service Officer will contact to advise and take any necessary action to complete or assist in completing an investigation.

As with any incident, the manager has a responsibility to carry out a suitable investigation supported by this guidance.

Records of HSE notifications are kept by the Health & Safety Service and the HSE Inspectorate will contact the Health & Safety Service directly if they wish to investigate further.

## Safety Representative roles

*There has been a HSE notifiable incident. A union safety representative wants to investigate and carry out an inspection. Do they have the right to do this?*

So that safety representatives can carry out their statutory functions, they may be notified by, or with the permission of, an employee of the occurrence of specific incidents in which they have been affected.

If such a notification has been provided, and safety representatives follow it up, managers must provide them with the relevant details.

Furthermore, safety representatives can investigate incidents that are notifiable to the HSE, where the interests of employees they represent are involved. They can also carry out an inspection of the relevant parts of a workplace to determine the cause of an incident.

## Premises related incidents

Premises Managers carry out regular checks to ensure the condition of buildings are safe for all to use. If the incident is **premise related** e.g. slips in toilets, passageways, downstairs, traps in doors, tripping over raised pavement slabs, tripping over floor covering/mats, scalding themselves through a boiler fault, electric shock and falling ceiling tiles/masonry then the relevant Premises Manager should be reporting it. However, any building user can report a premise related incident.



## Non-Premise related incidents

If the incident is **not premise** related then it can be reported by any user, examples include: somebody cutting themselves with a piece of paper/knife, trapping fingers in cupboards, stapling hands, scalding themselves with a hot liquid (but not a water boiler problem), being verbally abused/threatened or falling off a desk hanging Christmas decorations.

There are many more different scenarios to the above. If unsure whether to report the incident, it may be best to record details on a [Data Capture Form \(schools\)](#) or F03 Accident Report Data Capture Form (corporate) then discuss it with your manager. It is better to complete a late recording and get it right first time rather than trying to unravel any erroneous entries.

## Investigating incidents

### Key terms

An **undesired circumstance** is a set of conditions or circumstances that have the potential to cause injury or ill health, e.g. untrained care assistants handling heavy service users.

An **immediate cause** is the most obvious reason why an adverse event happens, e.g. the guard is missing, the employee slips etc. There may be several immediate causes identified in any one incident.

An **underlying cause** is the less obvious 'system' or 'organisational' reason for an adverse event happening, e.g. pre-start-up machinery checks are not carried out by supervisors; the hazard has not been adequately considered via a suitable risk assessment; production pressures are too great etc.

## Why investigate accidents?

The main aim is to find out what went wrong and how, to prevent similar incidents from happening in the future.

### Why is this important?

#### *a) It is legally required*

Reviewing the effectiveness of safety arrangements (including risk assessments) following an incident is a crucial part of our safety management system. Such a system is required by law <sup>1</sup>. It demonstrates responsible, proactive management and a culture where adverse events are learnt from, not hidden, or ignored.

If an incident leads to an investigation from the HSE or a civil claim, you are likely to be asked for 'full disclosure of the circumstances of the incident'. Your incident investigation report is a crucial



element of this and may be critical to the Council's legal defence. The data must be capable of being produced several years after the accident, in a comprehensible condition.

The fact that you thoroughly investigated an incident and took action to prevent further accidents should demonstrate to a court that you have a positive attitude to health and safety. If a serious incident occurs, the regulatory authorities will take a firm line if you have ignored previous warnings.

<sup>1</sup> *The Management of Health and Safety at Work Regulations (Reg 5) requires employers to “plan, organise, control, monitor and review their health and safety arrangements.” Reg 3 requires risk assessments to be reviewed regularly, particularly following incidents.*

### ***b) Find out what was really going on at the time***

Investigations are an excellent opportunity to discover what really happens. After all, policies and risk assessments are only effective if they are being implemented in practice. So, were people doing what they should be doing? Were short cuts being taken? Were policies and procedures being followed? If not, why? Maybe they were not understood properly, maybe they were not realistic.

### ***c) Improve your systems and procedures***

With this information, you can review your systems and procedures – how effective were they? Do they need to be improved considering the incident? Are they realistic and feasible to implement? Do you need to improve training and information provided?

### ***d) Financial savings***

Investigation of incidents leads to the prevention of accidents and injuries (particularly long-term conditions caused by back injuries or work-related stress) and can bring substantial financial savings.

### ***e) An opportunity to involve employees***

A constructive attitude to working with employees, to find out what went wrong and to come up with solutions, can help develop good employee relations and a strong H&S culture.

This however is only effective if your investigation is not focused on searching for somebody to blame, but is seen as a genuine fact-finding opportunity, where management deficiencies are addressed as well as any employee failings. Such an approach can show employees that you take their health and safety seriously.

Also, employees may be more cooperative in implementing new safety precautions if they were involved in the decision and they can see that problems are dealt with promptly. When this approach is combined with other methods of involving employees in making H&S decisions (see [HS 016](#) for more information), better morale and motivation of the workforce can result.

## **What to do after an incident happens**

### ***a) Deal with immediate risks***

There may be a need to treat the injured, make the area safe or initiate an emergency plan. In cases of violence in particular, consider a debrief and other emotional support (see policy [HS 011](#) for more information).

***b) Ensure the incident is recorded using either the EEC system (schools) or Incident Reporting app (corporate).***

***c) Start the accident investigation.***

***d) Note your completed and proposed management actions on the EEC System (schools) or Incident Reporting app (corporate)***

You may have already taken some actions to prevent the incident from happening again. Update the system with proposed actions, investigation details, a review of a risk assessment, or a plan to remind people to comply with procedures.

## Which incidents need to be investigated?

You need to follow up any incident that could present a learning opportunity. However, you should take a 'proportionate approach' to the time and effort involved in investigating.

Most H&S incidents are quite straightforward to investigate. The cause will be obvious, and remedial action simple to put in place.

## How do I know if an incident should be recorded on the relevant system?

It needs to be recorded if you or the Health & Safety Service consider it to fit the criteria above. An H&S officer will then discuss with you how investigation should take place and support you as required. Your local management may have their own procedures to investigate H&S incidents.

If you have concerns about either how to carry out the investigation, please contact your local H&S Advisor or the Health & Safety Service on 01823 355089 or [chsu@somerset.gov.uk](mailto:chsu@somerset.gov.uk).

## 10 Steps to carrying out an investigation into more serious incidents

- Refer to the accident report (on EEC schools or via the Safety Portal for corporate).
- Not all points will be relevant to all investigations. Some of the stages can be a quick mental process.

	Carrying out an investigation into an incident	Tick if relevant	Tick when complete
1	<b>Establish the facts</b> as quickly and completely as possible. Include the names of those involved and any witnesses, the general environmental conditions, any relevant equipment or systems of work, and the sequence of events leading up to the incident.		
2	<b>Consider taking photographs</b> of the incident scene, footwear and clothing; drawing a sketch of the layout; taking measurements.		
3	<b>Interview anyone directly involved</b> , anyone who saw or heard anything related to the incident, the safety representative and any managers involved. Record their statements. Do not prompt or lead the witness. Use open questioning techniques such as “In your own words, please tell me what happened”. Sometimes, it will be essential to record “uninformative” statements, for example, from people who were in the vicinity but didn’t hear anything.		
4	<b>Collate</b> and examine relevant documentation. Keep copies. This evidence may be needed years after the event.		
5	<b>Evaluate the data.</b> When you have the statements and facts about the physical conditions at the incident site, evaluate it, establish consistencies and inconsistencies. Try to reconcile any inconsistencies by further questioning or investigation.		
6	If necessary, <b>record any data that is inconsistent with your opinion</b> about the cause(s). Never disregard information that is inconsistent with your view.		
7	<b>Analyse the cause(s)</b> of the incident.		
8	<b>Record your conclusions and recommendations</b> , including any action taken to deal with the causes, reviews of risk assessments, training needs, etc.		
9	<b>Consider an individual(s) characteristics</b> where health or wellbeing could have been compromised following an incident.		
10	<b>Comply</b> with any local arrangements and report them to your local manager and/or safety committee.		

## How to analyse causes of incidents

This may be due to a combination of immediate and underlying causes (see [key terms](#).) The following checklist suggests some possible causes:

Possible factor that caused the incident	Was this a factor?	Comments
<b>ENVIRONMENT</b>		
State of physical conditions <i>e.g. condition of floor, stairs, obstructions, lighting, weather conditions</i>		
Warning signs and information		
Quality of housekeeping, maintenance and cleaning		
Layout of workplace		
Frequency of workplace H&S inspections		
<b>PROCEDURES and RISK ASSESSMENT</b>		

Inadequate / duties unclear / out of date?		
Not being implemented properly. Why not?		
<b>PEOPLE</b>		
Lapse due to fatigue / distraction / poor motivation / distraction / pressure of work / rushing, etc?		
A deliberate violation of procedures?		
<b>KNOWLEDGE / SKILL DEFICIENCIES</b> <i>e.g. staff not understanding or implementing training and instructions</i>		
H&S training: inadequate / unsuitable / ineffective?		
Supervision: inadequate		
<b>EQUIPMENT, SUBSTANCES &amp; MATERIALS</b>		
Unsuitable, defective or dangerous? <i>e.g. blunt knives, machinery with inadequate safety devices, unnecessarily hazardous chemical</i>		
Poorly maintained?		
Was it not used properly / according to instruction?		
Was it stored inappropriately?		
Protective equipment (e.g. masks, gloves etc) if required, used incorrectly or not at all?		
If a substance involved – was the COSHH assessment inadequate or not being followed?		
<b>If CONTRACTORS were involved in the incident</b>		
Unsafe act by a contractor?		
Ineffective control of contractors?		
Inadequate communication with contractor?		
<b>UNDERLYING MANAGEMENT ISSUES</b> could any of these be improved?		
How effective was the communication of H&S information?		
Is there a system to report defects, near-misses, safety concerns? Is it widely used? Is it encouraged by management and are they investigated appropriately?		
Are staff (and their representatives) adequately involved in H&S (e.g. are their views sought when planning procedures and risk assessments)?		
Are sufficient resources available for H&S issues?		

## What to do if an inspector calls

A visit from the HSE following an accident can be a stressful experience, even if the accident wasn't your fault. The Health & Safety Service must be contacted to offer assistance to any team facing such a visit. The SC Insurance Section must also be informed by emailing [InsuranceMailbox1@somerset.gov.uk](mailto:InsuranceMailbox1@somerset.gov.uk).

***What all employees need to know:***

- Investigators are always keen on a 'quiet chat', often to put them on to other lines of enquiry.
- Nothing is ever 'off the record'. Investigators will record any comments made, although this may be done out of your sight.

***If you have been asked for an interview:***

- You can specify the terms on which you will give evidence, including:
  - being accompanied by whoever you wish (preferably a manager, union representative or Health & Safety Service officer), and
  - requiring a copy of the statement. You can challenge any aspects you are unhappy with. Read it carefully before signing.
- You cannot hide anything, so do not try.
- Even if the incident was not your fault, the investigator is still examining for evidence of possible breaches to build a successful prosecution.

***What managers need to do:***

- Take an open-minded and proactive stance in relation to the investigation.
- After a major incident, appoint someone as a Single Point of Contact with the Health & Safety Service who will usually be the first point of contact for the HSE.
- Maintain a record of documents and other evidence provided to the investigator.
- Consider how you can look after your staff, especially those asked for evidence.
- Ensure that the inspector understands the context of the activity.
- Inform the SC Insurance Section.

HSE has published a guidance document: <http://www.hse.gov.uk/pubns/hsc14.pdf>.

## Frequently Asked Questions

***Q: I haven't had any training in incident investigation. Am I therefore 'competent'?***

It depends on the complexity of the investigation. Most investigations are relatively straightforward, and no specific training is required. As soon as you need to do an investigation, the Health and Safety Service will discuss with you how to carry it out. If the incident is of a complex nature, then it will recommend that the investigation is run by a manager who has had specific training, or by a professional Health & Safety Officer.

***Q: How can I learn more about the Incident Reporting app (corporate) and receive training on it?***

A detailed guidance document is available here: [Incident Reporting App Guide](#) and a video on how to use the Incident Reporting app: [Safety Portal - Link to training video](#). Information materials should be provided in a format accessible to the individual.

***Q: Where can I find help to complete an EEC (schools) incident?***

A help sheet can be found on the H&S Internet site, in the schools resources area: [How to complete an accident report on EEC](#).

***Q: Somebody has tripped over an unsecured section of carpet flooring and has been injured. The investigation section asks me to consider 'underlying causes', what might this involve?***

The immediate cause(s) can often be identified quickly – and might include the loose carpet, someone rushing about, perhaps not concentrating or looking where they were going, or carrying something so they could not see where they stepped. The loose carpet will hopefully be secured in place immediately.

Underlying causes are those factors that made this more likely due to failings in systems or processes. Let us suppose that the carpet had been loose for some time, that several other people had previously tripped over it, but not sustained injury, that damage to carpets was being reported on a regular basis but nothing was ever done – until someone was actually injured. In those circumstances, an investigation may point to underlying causes such as:

- Inadequate maintenance system.
- Failure to investigate into previous incidents.
- Inadequate system of monitoring of incident reports.
- No system of premises inspection.
- Lack of management awareness of the need to carry out regular inspections.

***Q: Why do I need to keep risk assessments and training records with my investigation?***

Following a serious incident, our insurers may ask for copies of risk assessments, manual handling assessments, training records etc.

The record of investigation should include reference to these. They should also include reference to reviews or amendments to assessments and systems of work arising from the accident, or the clear conclusion that the risk assessment is unchanged and remains valid. There are many pieces of documentation that may be helpful in accident investigations. The following list indicates some of the more obvious ones:

- Risk assessments of the work carried out at the time of the accident.
- Training records for the work being done.
- Safe working procedures or safe operating procedures relating to the activity.
- Method statements (if applicable).
- Any special arrangements in place, such as permits to work or emergency safety procedures.
- Repair and maintenance records for any machinery or equipment being used at the time of the accident.

***Q: An employee driving a Council vehicle has had an accident on the public highway. We wish to ensure that all legal requirements are met in terms of accident reporting and investigation. What are these requirements?***



Driving for work includes, driving or riding between SC establishments for work purposes and traveling to and from a place of work where mileage is payable by the Council (except for re-location expenses).

The manager should investigate, check that the employee has completed the [F14 Driver Risk Assessment \(schools\)](#) or [Driver Risk Assessment app \(corporate\)](#) and review the effectiveness of these risk assessments.

However, at present very few work-related road traffic incidents are reportable to HSE under the RIDDOR Regulations 1995. To be reportable, an employee would have to be killed or suffer major injury as a result of exposure to a substance being conveyed, work connected with loading or unloading a vehicle, road maintenance activities or an accident with a train.

Unlike accidents that occur on their own premises, employers will have no control over the accident site and are very unlikely to be able to visit the scene of the accident whilst the evidence is in situ. It is more probable that reliance will have to be placed on the evidence of the employees involved, third-party witnesses, the investigation of the police, possibly the enforcing authority, expert opinions and physical evidence such as the Council vehicle involved, road conditions, weather as well as policy and procedures of the organisation.

## Governance Arrangements

### Review and Revision

This Guidance will be reviewed as it is deemed appropriate, but no less frequently than every 36 months. Policy review will be undertaken by rolling programme established by the Health and Safety Service and agreed by the Health, Safety, and Wellbeing Steering Group.

### Version History

Revision Date	Author	Version	Description of Revision
September 2024	Pam Price	V01	New Guidance

## References and links

### Internal Documents

Somerset Council Responsibilities Policy: [HS02 H&S Responsibilities](#)



F03 Accident report – Data Capture Form

HS03 Reporting & Investigating H&S Incidents Policy

[HS011 Work Related Violence](#)

[HS014 Driving your Personal Vehicle for Work](#)

[HS016 Involving Employees in H&S](#)

[Retention of records](#)

[EEC Safety Suite for schools](#)

[EEC Data collection form](#)

[Incident Reporting app \(corporate\)](#)

[Incident Reporting app Guide](#)

[Safety Portal - Link to training video for how to use the Incident Reporting app](#)

## External documents

[RIDDOR Incident reporting in schools \(accidents, diseases and dangerous occurrences\):  
Guidance for employers](#)

An Inspector Calls from the HSE: <http://www.hse.gov.uk/pubns/hsc14.pdf>