

# Accident Investigation Update

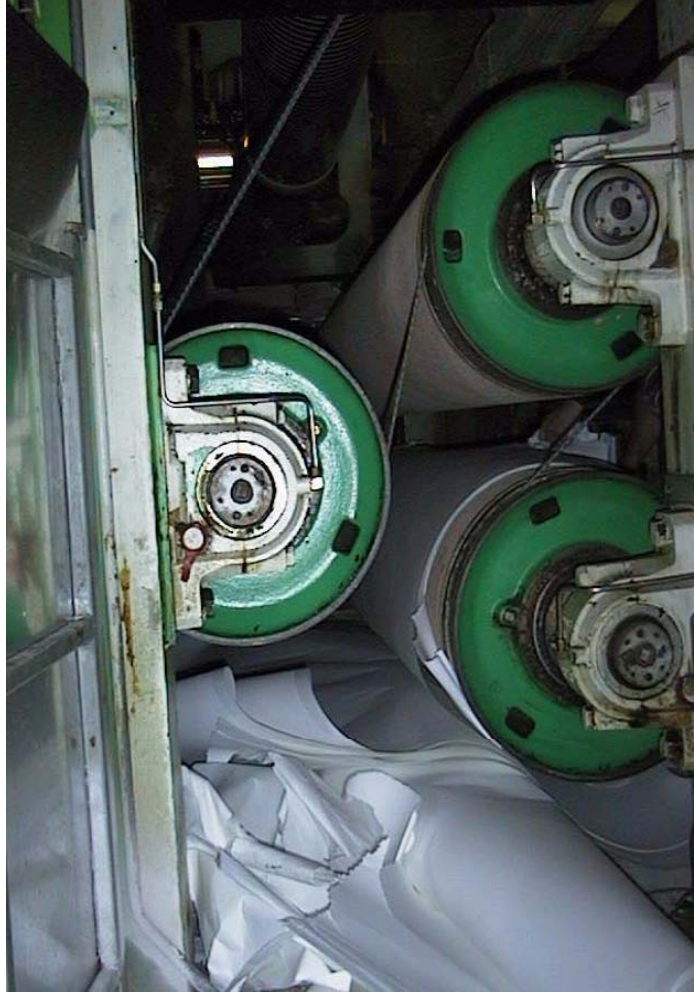
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# Aims

- Why Bother?
- Current Requirements
- Forthcoming Changes



# Why Bother

- Prevent similar events
- learn lessons - underlying problems?
- Legal duty ....

## Is there a legal duty?

- No explicit duty
- Condoc
- Management Regulations

# Management Regulations

- Regulation 5 - includes ‘monitoring’
  - ACOP ... “adequately investigating the immediate and underlying cause of incidents and accidents”
- Regulation 3 - includes ‘*review of RA*’
  - accidents, ill health and DO’s get specific mention

# Guidance

- Currently little HSE Guidance:
  - HS(G) 65
  - Work Related Deaths Protocol/Guide
- Proposed Guidance
  - Free leaflet
  - Report Form
  - ‘Step by Step Guide’
  - Analysis Form

# Competence

- “*the currently low level of competence*” is a “*barrier to improving the current standard of investigation*” (HSE RR 244/2001)
- Who is competent?

# Competence - Suggested Definition

“The investigator of a work - related accident should have the personal, interpersonal, technical and administrative skills and knowledge to enable the accident to be completely investigated in order that:

- Immediate and underlying causes of the accident are identified
- The actions required to prevent reoccurrence of the accident can be identified and implemented

The investigator will be able to form an independent view and will interact appropriately with other persons relevant to the investigation.”

# Implications

- Who will investigate? (an opportunity?)
- Disclosure of reports
  - criminal proceedings
  - civil proceedings

# Conclusions

- Need for Investigation
- HSE Position
- Food for Thought