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Issue:	1
Date:	3 December 2011
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REPORTING & INVESTIGATION MANUAL

ADVISING SAFETY REPRESENTATIVES OF ACCIDENTS AND INCIDENTS

1 Purpose

To provide a consistent, comprehensive and structured process for the reporting of accidents, incidents and occupational ill health to safety representatives.

2 Scope

This module applies to:

- events occurring on Network Rail managed infrastructure (NRMI);
- events occurring on Network Rail managed stations;
- events involving rail vehicles operated by Network Rail;
- accidents and assaults involving Network Rail employees whilst on duty and not occurring on NRMI including whilst travelling in road vehicles (whether owned, hired or leased by Network Rail);
- occupational ill health affecting Network Rail employees;
- accidents and assaults involving employees of contractors whilst undertaking work for Network Rail.

3 Reference documentation

NR/L3/INV/3001/RIM205	Network Rail led investigations
Safety Representatives and Safety Committee Regulations 1977	
Network Rail's Health & Safety Handbook	

4 Definitions

Accident – An unwanted or unintended sudden event or a specific chain of such events which have harmful consequences; for example, accidents include the following: collisions, derailments, vehicles struck at level-crossings, persons struck by trains, fires and others.

Close call – A close call is an incident that has occurred due to an unsafe condition or act that in other circumstances could have resulted in personal injury or damage to plant, machinery, infrastructure or the environment. It should not be confused with a 'Near miss' (see definition below).

Contractor – A person undertaking work under contract for Network Rail; this includes:

- a person sub-contracted to undertake work for Network Rail, and
- a self-employed person and staff of agencies used by Network Rail or its contractors.

Event – Where this term is used, it means occurrences resulting in an accident or incident.

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Fatality – Any injury or condition that results in the death of a person and, in the case of an employee, includes those cases where death occurs within a year of the accident where the injury or condition was suffered. Death from natural causes is not reportable unless it can be shown there is a good reason to suppose the death arose out of or in connection with work.

Incident – An unplanned, uncontrolled event that under different circumstances may have resulted in an accident (includes, and may also be referred to as, a 'Near miss' or 'Close call').

Line manager or project manager – For the purposes of this module, this includes:

- a) Persons with the competence and responsibility within their function for:
 - the safe operation of the railway and organisation of train services;
 - briefing the reporting or investigation process to employees;
 - managing or supporting the reporting or investigation process.
- b) Persons responsible for managing, administering and delivering contracts either for major or minor works schemes, e.g. Project Managers.

Near miss – A 'Near miss' is an incident involving a train or rail mounted plant that has occurred due to an unsafe condition or act and which in other circumstances could have resulted in personal injury.

Network Rail managed infrastructure (NRMI) – Network Rail Managed Infrastructure is the infrastructure that falls within the geographic boundaries of Network Rail's operational railway, including the permanent way and land within the lineside fence, and plant used for signalling or exclusively for supplying electricity for traction purposes to Network Rail's operational railway.

It does not include stations (whether or not these are managed by Network Rail), nor does it include depots, yards or sidings owned by, or leased to, other parties. However, it does include permanent way at stations and plant within these locations used for signalling Network Rail's operational railway or exclusively for supplying electricity for operational purposes to the operational railway.

Structures such as tunnels, bridges, viaducts, underpasses, etc, are deemed to form part of NRMI only in relation to their potential to transfer risk onto, or from, the operational railway.

Occupational ill health – Any case of ill-health that is suspected or known to have resulted from the affected person's work environment or work activity, other than ill-health caused by personal accident or assault.

This term only applies to cases of occupational ill-health diagnosed or certified by a medical practitioner and includes cases of reportable disease.

RIDDOR 1995 – The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.

Safety Representative – A person appointed under Regulation 3(1) of the Safety Representatives and Safety Committees Regulations, 1977 to be a safety representative.

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5 Requirements

5.1 General

5.1.1	<p>Arrangements shall be in place to notify Safety Representatives of accidents and incidents occurring within the line manager's area of responsibility in accordance with the arrangements shown below.</p> <p><i>NOTE 1 The arrangements below are intended to satisfy the provisions of Regulations 6 and 7 of the Safety Representatives and Safety Committee Regulations (SRSCR) 1977, and clauses 2.9.6 and 2.9.7 of Network Rail's Health & Safety Handbook.</i></p> <p><i>NOTE 2 These arrangements are intended to provide a framework within which line managers and Safety Representatives can agree how accidents and incidents will be notified to Safety Representatives to comply with the provisions of the SRSCR.</i></p> <p><i>NOTE 3 These arrangements should be read in conjunction with the Health & Safety Executive's Approved Code of Practice on the SRSCR.</i></p>	Line manager
5.1.2	<p>The arrangements put in place shall provide for the Safety Representative to:</p> <p>a) receive an early positive advice of an accident/incident listed at Appendix A that:</p> <ul style="list-style-type: none"> (i) occurs within the Safety Representative's agreed geographical area of responsibility and (ii) affects a member of the group of grades that he/she represents; <p>b) be afforded the opportunity to carry out an inspection at the site of the accident/incident if they so wish.</p> <p><i>NOTE 4 The main purpose of an inspection is to enable the causes of the accident or incident to be determined so that measures to prevent a recurrence can be considered. For this reason it is important that the approach to the problem is a joint one by the employer and the Safety Representative.</i></p>	Line manager
5.1.3	<p>Any arrangements made for a site inspection shall not interfere with the necessary tasks of rescue or line clearance operations, or with the process of collecting data or evidence required for an accident/incident investigation.</p>	Line manager
5.1.4	<p>Nothing in the arrangements implemented shall undermine the general functions of Safety Representatives as shown in Regulation 4(1) and Regulation 6 of the SRSCR.</p>	Line manager