



National
Guidance
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Investigating a Serious Incident

When a serious incident has taken place during an activity or visit, whether in the UK or overseas, it is good practice for the employer to carry out an investigation.

A serious incident could include:

- A fatality;
- A serious injury, including any injury that (if it happens in the UK) is reportable under the Reporting of Injuries, Diseases or Dangerous Occurrence Regulations (RIDDOR);
- A near miss – i.e., an incident where no fatality or serious injury occurred but where only good fortune meant that they did not occur;
- An incident which led to media or police involvement, or a serious complaint.

Depending upon the nature of the incident, the purposes of the investigation should be to:

- Determine the causes of the incident;
- Determine whether there are lessons to be learned, and to disseminate these locally or nationally if necessary;
- Provide information to those affected, such as bereaved parents or relatives;
- Exchange information with statutory investigation bodies as required, such as the police, coroner or Health & Safety Executive (HSE);
- Gather evidence for any possible disciplinary or legal proceedings;
- Manage media enquiries.

Gathering Evidence

The investigation should begin as soon as possible, while witnesses have good recall of the facts. It is remarkable how significantly and how quickly witnesses' memories become distorted by subsequent information, discussion or reflection.

Ideally witnesses should not collaborate when or before writing their statement.

Witness statements should be taken from those who were involved, present or affected. These should record facts, not opinions, and the sequence and approximate timing of events. All details should be included, because it may not be immediately apparent what will subsequently turn out to be relevant or even vital. A statement should make clear who is making it, and be signed and dated.

Different witnesses are likely to have seen the incident from different perspectives, so the investigation should try to capture a wide range of statements. The more

serious the incident, the more important it is to obtain as many witness statements as possible.

It can be helpful to obtain photographs at the location during the immediate aftermath of the incident. This should be done sensitively, respecting people's privacy and potential distress.

Any equipment that was involved in the incident should be retrieved, secured, photographed and labelled.

Other Considerations

If a provider or other organisation is involved in the visit, the employer should agree roles with them to avoid duplication of effort.

The investigation should be carried out by someone who is as independent as possible from those involved in the incident, and who has the necessary expertise. The employer's Outdoor Education Adviser should be involved and, if the incident occurred during an adventure activity, an appropriately competent Technical Adviser.

Care should be taken not to disrupt any parallel investigations by the police, coroner, HSE, etc. There is usually no reason to wait for those parallel investigations to be complete before starting the investigation but, before publishing any report, the employer should check that publication will not jeopardise those parallel investigations or any action that the statutory bodies may decide to take.

Legal advice, and insurer's advice, should be taken about the necessity of restricting information where it may be used for legal action. This should not mean keeping bereaved parents uninformed even where the employer or establishment may fear legal action.

Where there is the possibility of disciplinary action, the investigation should comply with the employer's disciplinary procedures.

When the investigation is complete, it is good practice for the employer to share lessons learned with all its establishments, with other employers, and with relevant national organisations such as the Department for Education or Welsh Government, national governing bodies and OEAP, as appropriate.

Where there are bereaved parents or relatives, it is good practice to identify someone who will act as the key point of contact for them. This person should be sensitive to the family's needs and should preferably have some counselling competence. He or she should inform the family of the progress of the investigation, answering their questions as helpfully as possible, and providing them with the facts.

Bereaved parents or relatives will need to know all the facts. In the long term, they will not be able to complete the grieving process if their questions remain unanswered. They will also need to know that any lessons learned will be applied. Denial of information is likely to compound and perpetuate their grief, and to increase the likelihood that they will resort to legal action.

Further advice on investigating incidents is available from the HSE at www.hse.gov.uk/managing/delivering/check/investigating-accidents-incidents.htm

