



**Briefing 12/11    March 2012**

# Changes to RIDDOR reporting

To: All contacts in England, Wales, Scotland and Northern Ireland

**Key issues**

Reporting scheme changes  
Duty to retain records remains

## 1.    **Background**

RIDDOR is the law that requires employers, and others responsible for control of work premises, to report and to keep records of work-related deaths, serious injuries, cases of diagnosed industrial disease, certain 'dangerous occurrences' (also known as near miss incidents) and gas incidents. There are special requirements for gas incidents.

From 6 April 2012, the over-three-day reporting requirement for people injured at work will change to more than seven days. From that date a report only has to be made for injuries that lead to a worker being incapacitated for **more than seven consecutive days** as the result of an occupational accident or injury (not counting the day of the accident but including weekends and rest days). The report must be made within 15 days of the accident.

Incapacitation means that the worker is absent, or is unable to do work that they would reasonably be expected to do as part of their normal work. **A record must still be kept of the accident** if the worker has been incapacitated **for more than three consecutive days**.

If you are an employer, who must keep an accident book under the Social Security (Claims and Payments) Regulations 1979, that record can be treated as a record for the purposes of RIDDOR.

These are the main changes to the reporting requirements for deaths, major injuries, occupational diseases and dangerous occurrences that employers need to be aware of.

A copy of the guidance is found below and is available at <http://www.hse.gov.uk/pubns/indg453.pdf>

## 2.    **Comment**

RIDDOR remains a fundamental element of an appropriate health and safety strategy. This change will reduce the work involved in reporting incidents even though the duty to keep relevant records will endure.

APSE will continue to bring changes in health and safety responsibilities to the attention of members.

**Phil Brennan**  
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**Below is the text from the relevant HSE leaflet.**

# Reporting accidents and incidents at work

A brief guide to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) (Leaflet INDG453)

## **What is RIDDOR?**

RIDDOR is the law that requires employers, and other people who are in control of work premises, to report and keep records of:

- work-related deaths;
- serious injuries;
- cases of diagnosed industrial disease; and
- certain 'dangerous occurrences' (near miss incidents).
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There are also special requirements for gas incidents (see section below). This leaflet aims to help employers, and others in control of work premises, to comply with RIDDOR and to understand recent changes to reporting.

## **2012 change**

From 6 April 2012, the over-three-day reporting requirement for people injured at work will change to more than seven days. From then, you only have to report injuries that lead to a worker being incapacitated for **more than seven consecutive days** as the result of an occupational accident or injury (not counting the day of the accident but including weekends and rest days). The report must be made within 15 days of the accident.

Incapacitation means that the worker is absent, or is unable to do work that they would reasonably be expected to do as part of their normal work.

**You must still keep a record** of the accident if the worker has been incapacitated **for more than three consecutive days**. If you are an employer, who must keep an accident book under the Social Security (Claims and Payments) Regulations 1979, that record can be treated as a record for the purposes of RIDDOR.

These are the main changes to the reporting requirements for deaths, major injuries, occupational diseases and dangerous occurrences that employers need to be aware of.

## **Why report and record?**

Reporting and recording is a legal requirement. The **report** informs the enforcing authorities (HSE, local authorities and ORR) about deaths, injuries, occupational diseases and dangerous occurrences so they can identify where and how risks arise, and whether they need to be investigated. This allows HSE, local authorities and ORR to target their work and provide advice about how to avoid work-related deaths, injuries, ill health and accidental loss.

**Records** of incidents covered by RIDDOR are important. They ensure that you collect the minimum amount of information to allow you to check that you are doing enough to ensure safety and prevent

occupational diseases. This information is a valuable management tool that can be used as an aid to risk assessment, helping to develop solutions to potential risks. In this way, records also help to prevent injuries and ill health, and control costs from accidental loss.

**You must keep a record of:**

- any **reportable death, injury, occupational disease or dangerous occurrence**; and
- all occupational accidents and injuries that result in a worker being away from work or **incapacitated for more than three consecutive days** (not counting the day of the accident but including any weekends or other rest days).

You must produce RIDDOR records when asked by HSE, local authority or ORR inspectors.

**What must be reported?**

**Deaths and injuries**

Deaths and injuries do not have to be automatically reported, but must be reported if they occur as the result of an accident arising out of or in connection with work. An accident is a separate event to a death or injury, and is simply more than an event, it is something harmful that happens unexpectedly. When deciding if the accident that led to the death or injury has arisen out of or in connection to work, the key issues to consider are whether the accident was related to:

- the way in which the work was carried out;
- any machinery, plant, substances or equipment used for work; and
- the condition of the site or premises where the accident happened.

If any of the above factors were related to the cause of the accident, then it is likely that the injury will need to be reported to the enforcing authority. If none of the above factors are satisfied, it is likely that you will not be required to send a report. Examples of incidents that do and do not have to be reported are available at [www.hse.gov.uk/riddor/do-i-need-to-report.htm](http://www.hse.gov.uk/riddor/do-i-need-to-report.htm).

**Deaths**

A death must be reported if:

- it results from a work accident;
- a worker sustains an occupational injury;
- it results from a suicide on a relevant transport system (this is considered to be an accident for the purpose of RIDDOR); or
- it results from an act of physical violence to a worker.

**Injuries to people at work**

RIDDOR gives two types of injuries that must be reported if the person was at work – ‘major injuries’ and from 6 April 2012 ‘over-seven-day injuries’.

**Major injuries**

These include:

- a fracture, other than to fingers, thumbs and toes;
- amputation;
- dislocation of the shoulder, hip, knee or spine;
- loss of sight (temporary or permanent);
- chemical or hot metal burn to the eye or any penetrating injury to the eye;
- injury resulting from an electric shock or electrical burn leading to unconsciousness, resuscitation or admittance to hospital for more than 24 hours;

- any other injury leading to hypothermia, heat-induced illness, unconsciousness, resuscitation or admittance to hospital for more than 24 hours;
- unconsciousness caused by asphyxia or exposure to a harmful substance or biological agent;
- an acute illness requiring medical treatment;
- loss of consciousness arising from absorption of any substance by inhalation, ingestion or through the skin; and/or
- acute illness requiring medical treatment where there is reason to believe that this resulted from exposure to a biological agent, its toxins or infected material.

### **Over-seven-day injuries**

From 6 April 2012, the law will introduce the over-seven-day injury category. This is where **an employee, or self-employed person, is away from work or unable to perform their normal work duties for more than seven consecutive days** (not counting the day of the accident).

### **Over-three-day injuries**

From 6 April 2012, **you do not have report over-three-day injuries but you must keep a record of them** (see 2012 change). If you are an employer, who has to keep an accident book, the record you make in this will be enough.

### **Injuries to people not at work**

You must report injuries to members of the public or people who are not at work if they are injured following an accident that arises out of, or in connection with, work and are taken from the scene of an accident to hospital for treatment. If the injured person was already at a hospital, the report only needs to be made if the injury is a 'major injury' (see above).

### **Occupational diseases**

Employers and self-employed people must report occupational diseases. This must be done when they receive a written diagnosis from a doctor that they, or an employee, is suffering from one of these conditions and the sufferer has been doing the work activities listed for that illness.

### **Dangerous occurrences**

Dangerous occurrences are certain, listed near-miss events. Not every near-miss event must be reported. There are 21 categories of dangerous occurrences that are relevant to all workplaces, for example:

- the collapse, overturning or failure of load-bearing parts of lifts and lifting equipment;
- plant or equipment coming into contact with overhead power lines;
- electrical short circuits or overloads causing a fire or explosion, which results in the stoppage of the plant for more than 24 hours or has the potential to cause death;
- the accidental release of a biological agent likely to cause severe human illness; and
- the accidental release of any substance that may damage health (not applicable offshore).

For a full list of dangerous occurrences applicable to all workplaces, and additional categories of dangerous occurrences applicable to mines, quarries, relevant transport systems (railways etc) and offshore workplaces, see *A guide to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995*.<sup>1</sup>

### **Gas incidents**

If you are a distributor, filler, importer or supplier of flammable gas and you learn, either directly or indirectly, that someone has died or suffered a major injury in connection with the gas you distributed, filled, imported or supplied, this can be reported online.

If you are a gas engineer, registered with the Gas Safe Register, you must provide details of any gas appliances or fittings that you consider to be dangerous to the extent that people could die or suffer a major injury. This may be due to the design, construction, installation, modification or servicing, and could result in:

- an accidental leakage of gas;
- inadequate combustion of gas; or
- inadequate removal of products of the combustion of gas.

You can report online.

### **Exemptions**

In general, regulation 10 of RIDDOR exempts dutyholders from reporting deaths and injuries that result from:

- medical or dental treatment, or an examination carried out by, or under the supervision of, a doctor or registered dentist;
- the movement of a vehicle on a road (unless the person was loading or unloading the vehicle or working alongside the road, e.g. constructing or maintaining the road or adjacent buildings, the accident involved a train, or the accident involved the escape of a substance from a vehicle) and/or
- the duties carried out by a member of the armed forces while on duty.

### **How to report**

#### **Online**

Go to [www.hse.gov.uk/riddor](http://www.hse.gov.uk/riddor) and complete the appropriate online report form. The form will then be submitted directly to the RIDDOR database. You will receive a copy for your records.

#### **Telephone**

All incidents can be reported online but a telephone service remains for reporting **fatal and major injuries only**. Call the Incident Contact Centre on 0845 300 9923 (opening hours Monday to Friday 8.30 am to 5 pm).

### **Reporting out of hours**

HSE has an out-of-hours duty officer. Circumstances where HSE may need to respond out of hours include:

- a work-related death or situation where there is a strong likelihood of death following an incident at, or connected with, work;
- a serious accident at a workplace so that HSE can gather details of physical evidence that would be lost with time; and
- following a major incident at a workplace where the severity of the incident, or the degree of public concern, requires an immediate public statement from either HSE or government ministers.

If you want to report less serious incidents out of normal working hours, you should complete an online form at [www.hse.gov.uk/riddor/report.htm#online](http://www.hse.gov.uk/riddor/report.htm#online).

More information about contacting HSE out of hours can be found at [www.hse.gov.uk/contact/outofhours.htm](http://www.hse.gov.uk/contact/outofhours.htm).

### **Useful resources**

1 *A guide to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 L73* (Fourth edition) HSE Books 2012

ISBN 978 0 7176 6459 7

[www.hse.gov.uk/pubns/books/l73.htm](http://www.hse.gov.uk/pubns/books/l73.htm)

2 [www.hse.gov.uk/riddor](http://www.hse.gov.uk/riddor)

### **Industry-specific guidance**

*Accident Book B1510* HSE Books 2012 ISBN 978 0 7176 6458 0

[www.hse.gov.uk/accidentbook.htm](http://www.hse.gov.uk/accidentbook.htm)

*Incident reporting in schools (accidents, diseases and dangerous occurrences)*

EDIS1(rev2) HSE 2012 [www.hse.gov.uk/pubns/edis1.htm](http://www.hse.gov.uk/pubns/edis1.htm)

*Reporting incidents of exposure to pesticides and veterinary medicines: What to do if you think people, animals or the environment have been harmed by exposure to pesticides or veterinary medicines* Leaflet

INDG141(rev1) HSE Books 1999

[www.hse.gov.uk/pubns/indg141.pdf](http://www.hse.gov.uk/pubns/indg141.pdf)

*Fatal traction: Practical advice on avoiding agricultural transport accidents* Leaflet INDG279(rev1) HSE

Books 2001 [www.hse.gov.uk/pubns/indg279.pdf](http://www.hse.gov.uk/pubns/indg279.pdf)

*Reporting injuries, diseases and dangerous occurrences in health and social care: Guidance for employers*

Health Services Information Sheet HSIS1(rev1) HSE 2011

[www.hse.gov.uk/healthservices/information.htm](http://www.hse.gov.uk/healthservices/information.htm)

### **Further information**

For information about health and safety, or to report inconsistencies or inaccuracies in this guidance, visit [www.hse.gov.uk/](http://www.hse.gov.uk/). You can view HSE guidance online and order priced publications from the website. HSE priced publications are also available from bookshops.

**This leaflet contains notes on good practice which are not compulsory but which you may find helpful in considering what you need to do.**

This leaflet is available in priced packs from HSE Books, ISBN 978 0 7176 6460 3.

A web version can be found at: [www.hse.gov.uk/pubns/indg453.htm](http://www.hse.gov.uk/pubns/indg453.htm).

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