

London Borough of Waltham Forest

**Accident and
Incident Procedure
Prompt Guidance**

Early Years, Childcare & Business Development Service



Waltham Forest

London Borough of Waltham Forest (LBWF) Early Years, Childcare & Business Development Service have written this document to help you write an accident and incident procedure for your setting. This document is for reference only and you must adapt it to reflect the service your setting offers. To download guidance on other policies and procedures go to <https://thehub-beta.walthamforest.gov.uk/earlyyearpoliciesandprocedures>

Statutory Framework for the EYFS 2017

3.25. At least one person who has a current paediatric first aid (PFA) certificate must be on the premises and available at all times when children are present and must accompany children on outings. The certificate must be for a full course consistent with the criteria set out in Annex A. Childminders, and any assistant who might be in sole charge of the children for any period of time, must hold a full current PFA certificate. PFA training must be renewed every three years and be relevant for workers caring for young children and where relevant, babies. Providers should take into account the number of children, staff and layout of premises to ensure that a paediatric first aider is able to respond to emergencies quickly. All newly qualified entrants to the early years workforce who have completed a level 2 and/or level 3 qualification on or after 30 June 2016, must also have either a full PFA or an emergency PFA certificate within three months of starting work in order to be included in the required staff:child ratios at level 2 or level 3 in an early years setting. Providers should display (or make available to parents) staff PFA certificates or a list of staff who have a current PFA certificate.

3.50. Providers must ensure there is a first aid box accessible at all times with appropriate content for use with children. Providers must keep a written record of accidents or injuries and first aid treatment. Providers must inform parents and/or carers of any accident or injury sustained by the child on the same day as, or as soon as reasonably practicable after, and of any first aid treatment given.

3.51. Registered providers must notify Ofsted or the childminder agency with which they are registered of any serious accident, illness, or injury to, or death of, any child while in their care, and of the action taken. Notification must be made as soon as is reasonably practicable, but in any event within 14 days of the incident occurring. A registered provider, who, without reasonable excuse, fails to comply with this requirement, commits an offence. Providers must notify local child protection agencies of any serious accident or injury to, or the death of, any child while in their care, and must act on any advice from those agencies.

3.52. Providers are responsible for managing children’s behaviour in an appropriate way. Providers must not give corporal punishment to a child. Providers must take all reasonable steps to ensure that corporal punishment is not given by any 28 person who cares for or is in regular contact with a child, or by any person living or working in the premises where care is provided. Any early years provider who fails to meet these requirements commits an offence. A person will not be taken to have used corporal punishment (and therefore will not have committed an offence), where physical intervention⁵⁰ was taken for the purposes of averting immediate danger of personal injury to any person (including the child) or to manage a child’s behaviour if absolutely necessary. Providers, including childminders, must keep a record of any occasion where physical intervention is used, and parents and/or carers must be informed on the same day, or as soon as reasonably practicable.

[The Social Security \(Claims and Payments\) Regulations 1979.](#)

If you employ staff the [accident book \(BI510\)](#) is required to meet the Social Security (Claims and Payments) Regulations 1979. Under the section ‘obligations of employers’ the law states that:

- Every employer must take reasonable steps to investigate every accident
- Any employer required to do so by the Secretary of State must provide information of an accident or alleged accident resulting in death or incapacitation
- Every owner or occupier (i.e. employer) of any mine or quarry or any premises which the Factories Act 1961 applies to, and every employer with 10 or more persons normally employed at the same premises, must keep readily accessible a means of recording the details of any accident causing personal injury, and must preserve this record for a period of at least 3 years

While the regulation technically allows that the means of recording the details of an accident may be in a book or by unspecified electronic means, having a physical book which can be taken to the accident and made visible and widely accessible makes recording the accident easier and makes compliance with other regulations (notably data protection) more straightforward. Relying on IT to keep your accident records complicates things. There could be technical problems with the software or hardware, or the person with the required logins or process knowledge may be unavailable. Note that the law requires the method of accident recording to be readily accessible.

Accident books contain forms with spaces for all the details needed. Anyone can fill in the accident form, and then it’s removed from the book where it can be put into secure storage until needed. This is also a more reliable way of ensuring the records are kept for the required duration of time, as records stored electronically could be lost much more easily.

Please always review the latest guidance to assist you in completing your policy and procedures. See end of page for links.

Whenever we say parents in this document, we mean parents and carers and whenever we say child, we mean children and young people aged 0 to 19 years old (up to 25 years old for young people with Special Educational Needs and Disabilities (SEND)).

Aim

Accident and incident reporting are an important aspect of monitoring or measuring safety performance and allows an organisation to learn from mistakes and improve health and safety. Also, the law requires certain incidents to be reported to the authorities. The aim of your policy is to ensure your Accident and Incident processes are clear, robust, meet with all regulations and communicated to all relevant parties.

Points to consider

How you meet your legal requirements for the safety of our employees by complying with RIDDOR (the Reporting of Injury, Disease and Dangerous Occurrences Regulations).

What is your Incident Reporting Process? It is essential that employers introduce a reporting system in the workplace for all accidents and incidents, dangerous occurrences, diseases and near misses, for all employees, contractors and visitors. An accident report may also prompt an investigation by the enforcing authority depending on the severity of injury that has either occurred or had the potential to occur.

Who is responsible? All staff have a responsibility to report near misses, adverse incidents and serious incidents, to ensure that your early years provisions risk management strategy is effective and that all statutory reporting requirements are met. Any member of staff, child or visitor at your premises who is involved in an incident or near miss must report it to the responsible person in your organisation for each relevant incident. Managers must ensure that they, and the staff for whom you are responsible, are fully aware of your Accident and Incident Policy and Procedures and you have an incident reporting process is readily available to all employees at all times.

How do you ensure that all employees know about your policy/procedures? All new members of staff must be introduced to the principles of risk management, including incident reporting procedures and serious incident reporting. All staff should also receive an annual update on incident reporting. Your organisation should identify an appropriate interval for training updates. Thereafter it is the responsibility of the staff member to identify their training needs on an ongoing basis, including the need for training updates. Disseminate your policy/procedures to all staff.

Are you aware that any dangerous occurrences must be reported, even events that do not cause an accident but could have done, such as a gas leak? Are you aware that all dangerous occurrences must be recorded in an Accident/Incident folder?

Where will you keep accident folders ensuring accessibility for staff?

How do you ensure that all staff and volunteers know where they are kept and how to complete them?

How often do you review (at least half termly) to identify any potential or actual hazards)?

Are you aware that the incident/accident book is not for recording child protection concerns regarding a child? These records should be made in accordance with the settings procedures regarding logging a concern about a child's welfare is recorded in the child's own file.

First Aid

- Does your first aid box contain appropriate equipment that meets the needs of the children? Who makes sure this is full and that everything is in date? How often is it checked?
- At least one person who has a current Paediatric First Aid (PFA) certificate must be on your premises at all times when children are present. There must be at least one person on outings who has a current paediatric first aid certificate. You should think about having more than one member of the team qualified in case of illness or leave.
- First aid training must:
 - Cover the course content as for St John Ambulance or Red Cross **paediatric** first aid training.
 - Be renewed every three years.

You can choose which organisation you wish to provide the training (in line with above) however it should be nationally approved and accredited.

- You must take into account the number of children, staff and layout of premises to ensure that a paediatric first aider is able to respond to emergencies quickly. St John's Ambulance website have a useful online tool to assess the levels of first aiders required on site (includes First Aid at Work). Go to: <http://www.sja.org.uk/sja/training-courses/requirements-calculators/calculator.aspx>
- You could also refer to HSE guidance at: www.hse.gov.uk/firstaid/approved-training.htm
- To find out if you need to have one or more members of staff with a First Aid at Work (FAW) qualification, visit the St John's Ambulance website at <http://www.sja.org.uk> and search for 'First aid requirements calculator'.

Accident records: What should accident records contain?

- Details of any existing injuries that a child arrives with, including bumps and bruises
- The time, date and nature of any accident
- Details of the children affected
- A written description of the type and location of any injury and a body map
- The action taken at the time (including first aid treatment provided), any action taken later and who did what
- The circumstances of the accident, names of any adults and children involved and any witnesses (you may need the contact details of the witnesses)

- The signature of the staff member who dealt with the incident, any witnesses and a countersignature by the parent when the child is collected.
- What happens when young people arrive and leave alone – how do you ensure parents/carers are informed? If you contact parents/carers over the phone to inform of the accident, ensure this is also recorded on the form.

You should also consider:

- As well as recording all injuries, also include incidents where no wound is visible, as symptoms may become apparent only after the event e.g. concussion.
- Reviewing accident records regularly to identify any trends or recurring causes of injuries.

Incident records: What should incident records contain?

All incidents should be recorded in detail.

As a team and/or committee you must decide what incidents are. These should include:

- Bullying and fighting for older children, and any intervention that was used
- An extreme reaction to a common situation e.g. hysterical response to thunder

You must make a note of who should record the incident and what should be included, for example:

- The child's name
- The time and location of the incident
- What triggered the incident
- The nature of the incident
- Other people involved (if children or young people are involved you will need to put their initials or link to another form (using a reference number) so you are not recording a name but can recall who was involved in the future)

Witnesses

- How the situation was handled
- What form of restraint was used and any consequences?

You must keep a signed record of all accidents and incidents that happen to children. An Ofsted inspector may look at your records of significant accidents and incidents so they all need to be signed by the parent, staff and any witnesses involved. For confidentiality there should only be one page per child, per accident or incident.

Parents must be informed of any accident or injury sustained by the child and of any first aid treatment given on the same day, or as soon as reasonably practicable.

Reporting accidents and incidents

Ofsted

It is a requirement of the early years register and the general childcare register that you must tell Ofsted about any serious accident, injury or death that happens to a child while in your care and the action taken. Ofsted must be notified as soon as possible (reasonably practicable) but within 14 days of the incident occurring.

You do not have to tell Ofsted if:

- An adult has an incident on your premises
- A child has an incident on your premises, but they are not in your care at the time, for example they have been picked up by their parent and they are leaving your premises.

If a serious accident, injury, or death happens on your premises and Ofsted are told by someone else, they investigate to see if you were complying with all other requirements at the time.

You must tell Ofsted if:

- A child dies on your premises, or as a result of something that happened while the child was in your care regardless of where they are when they die -
- An adult dies or has a serious accident or injury while on your premises -
- A child in your care is taken to hospital (to an Accident and Emergency Department), either directly from your premises, or later, as the result of something that happened while the child was in your care
- There is any significant event which is likely to affect your suitability to care for children (such as if a child goes missing)

DFE Guidance - Childcare: reporting children's accidents and injuries

<https://www.gov.uk/guidance/childcare-reporting-childrens-accidents-and-injuries>

LADO (local Authority Designated Officer)

If the accident or incident involved a professional working with the child and meets safeguarding thresholds e.g. their behavior/actions were neglectful, have caused harm to a child, or placed a child at risk of potential harm this must be reported to the LADO The employing organisation's senior officer immediately (or within 24 hours) to discuss the next course of action.

<https://www.walthamforest.gov.uk/content/concerned-about-someone-who-works-children>

HSE (Health and Safety Executive)

You must ensure that when there is any injury requiring general practitioner or hospital treatment to a child, parent, volunteer or visitor or where there is a death of a child or adult on the premises, you make a report to the Health and Safety Executive using the format for the Reporting of Injuries, Diseases and Dangerous Occurrences and the Child Death Overview Panel (CDOP) if a child has died.

<https://www.hse.gov.uk/riddor/index.htm>

As an employer, a person who is self-employed, or someone who is in control of work premises, you have legal duties under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR). You must report:

You must report:

- work-related deaths, on or off premises
- work-related accidents which cause certain specified serious injuries to workers, or which result in a worker being incapacitated for more than seven consecutive days (see the [RIDDOR](#) site) – This applies to both an employee or self-employed person. This seven day period does not include the day of the accident but does include weekends and rest days. The report must be made within 15 days of the accident.
- cases of those industrial diseases listed in RIDDOR and on the DfE site at <https://www.gov.uk/guidance/notifiable-diseases-and-causative-organisms-how-to-report> to see a full list of reportable diseases.
- certain 'dangerous occurrences' (near-miss accidents) - where something happens that does not result in an injury but could have done.
- injuries to a person who is not at work, such as a member of the public, which are caused by an accident at work and which result in the person being taken to hospital from the site for treatment
- Over-three-day incapacitation - Accidents must be recorded, but not reported where they result in a worker being 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 will be enough.

We recommend that you report any incidents as soon as possible, by calling the Health and Safety Executive (HSE) Incident Contact Centre on 0845 300 9923 (Monday to Friday 8.30am and 5pm), or by filling in an online form by going to <http://www.hse.gov.uk/riddor>. For injuries that last more than three days you must tell the HSE within ten days of the incident happening.

The information you report enables the HSE and local authority to identify where and how risks arise, and to investigate serious accidents.

Reporting a death

You must tell Ofsted, Council's LADO and the referral hub about any incidents as soon as is reasonably possible and always within 14 days of the incident occurring.

Ofsted

You must tell Ofsted if:

- A child dies on your premises, or as a result of something that happened while the child was in your care regardless of where they are when they die
- An adult dies or has a serious accident or injury while on your premises

<https://www.gov.uk/guidance/report-a-serious-childcare-incident>

Death Overview Panel (CDOP)

In the unlikely event of a child dying on the premises, the emergency services are called, and the advice of these services are followed including logging the concern with the Child Death Overview Panel (CDOP) <https://www.ecdop.co.uk/welc/live/public>

This may not always be the case, such as, in a case where the emergency services are unable to confirm death at the scene of the incident. In this case a hospital coroner may need to confirm death and then log the concern with the Child Death Overview Panel (CDOP) <https://www.ecdop.co.uk/welc/live/public>

Please remember it is a statutory requirement to notify CDOP of all child deaths from birth up to their 18th birthday. If there are a number of agencies involved, liaison should take place to agree which agency will submit the Notification.

However, unless you know someone else has done so, please notify CDOP with as much information as possible.

Therefore, in the case of a confirmed death, you should log the death through CDOP as well, and ensure you report via the following email. It is better that the CDOP receive multiple logs than none at all.

Email: cdr-welc.cityhackney@nhs.net

Tel:020 8496 3691

LADO (child protection designated officer):

You must also tell Waltham Forest Council's local authority (child protection) designated officer (LADO) about any serious accident, injury to, or death of a child whilst in your care:

Phone number: 0208 496 3646

Email: LADO@walthamforest.gov.uk

You must also act on any advice given.

MASH (Waltham Forest Multi-Agency Safeguarding hub):

You must also tell the Waltham Forest Multi-Agency Safeguarding hub (MASH) about any incidents which results in the death of a child whilst in your care:

Phone number: 0208 496 2310

Email: MASHrequests@walthamforest.gov.uk

You must also act on any advice given.

HSE (Health and Safety Executive)

You must ensure that when there is any injury requiring general practitioner or hospital treatment to a child, parent, volunteer or visitor or where there is a death of a child or adult on the premises, you make a report to the Health and Safety Executive using the format for the Reporting of Injuries, Diseases and Dangerous Occurrences and the Child Death Overview Panel (CDOP) if a child has died.

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The information you report enables the HSE and local authority to identify where and how risks arise, and to investigate serious accidents.

Useful resources and websites

- RIDDOR – You can find additional key resources from <https://www.hse.gov.uk/riddor/resources.htm> to buy or download. Currently these include but are not limited to:
 - Reporting accidents and incidents at work – From 1 October 2013 the revised Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR 2013) come into force.
 - Accident book - essential document for employers and employees, who are required by law to record and report details of specified work-related injuries and incidents.
- HSE RIDDOR: Main page can be found at <https://www.hse.gov.uk/riddor/index.htm>

- DFE Guidance - Childcare: reporting children's accidents and injuries
<https://www.gov.uk/guidance/childcare-reporting-childrens-accidents-and-injuries>
- Waltham Forest Safeguarding Children Board (WFSCB) Manual of child protection guidelines.
<https://thehub.walthamforest.gov.uk/policy/schools/safeguarding/safeguarding-key-information>
- Ofsted www.ofsted.gov.uk
- <https://www.ecdop.co.uk/welc/live/public>