Element 5: Investigation of Incidents/Accidents



COR Toolkit:

An Employer Guide to COR Certification



safety@go2HR.ca www.go2HR.ca



OVERVIEW

The objective of any investigation is to learn from the event and reduce the risk of repeating it. Only by performing an effective investigation can root causes be discovered, and only by addressing those root causes can effective changes be made. Investigating properly and effecting change is one of the most respectful ways to treat injured and otherwise affected workers. Management's failure to investigate properly or, worse, failure to follow up on the recommendations from a proper investigation is one of the surest ways to have workers disengage from the company, fostering lower morale and trust. A good safety culture demands a thorough investigation in a blame-free setting. Investigations must not focus on blaming the worker, but rather on finding where the system allowed the worker to make a poor decision. Investigations of serious incidents are not easy to perform for many companies, so outside assistance is perfectly acceptable in these cases.

The audit will measure whether:

- There is a procedure for the immediate investigating and reporting of incidents that identifies:
 - What to report to WorkSafeBC.
 - Which incidents to investigate.
 - o The intent of the investigation.
 - o The content, distribution and follow-up of reports.
- There is a process to identify and record the actions necessary to prevent recurrence and to implement and follow up on those actions.
- Designated investigating personnel are adequately trained and knowledgeable of the type of work involved.

KEY CONCEPTS AND IMPLEMENTATION TIPS

In order to meet the above objectives, the audit checks whether:

- The employer has a comprehensive written investigations policy.
- The investigations required by the policy, the Occupational Health and Safety (OHS) Regulation and the law are actually being done as required by the appropriate people for:
 - Injuries requiring medical aid, time loss or modified work duties.
 - Serious close calls.
 - o Property damage involving or affecting a worker.
 - First aid cases that did not result in medical aid or time loss.
- When problems are found, they are fixed properly in a reasonable amount of time.
- There is a method for workers to report injuries, close calls, hazards and other problems, and that the workers are using it.
- Training is documented.





Not all investigations are required to be full formal investigations. Minor first aid could be investigated entirely in a manager's notebook, if that is standard company procedure.

RELEVANT REGULATION AND LEGISLATION

Searchable versions of the Occupational Health and Safety (OHS) Regulation and the *Workers Compensation Act* are available online at https://link.go2hr.ca/cor-E1-001.

Occupational Health and Safety Regulation (WorkSafeBC)

Investigation Requirement — <u>Section 3.3(e)</u>

Improper Activity or Behaviour — Section 4.26

Indoor Air Quality — Section 4.79

Exposure to Hazardous Substances — Section 5.59

Workers Compensation Act (BC Gov't)

Investigating Incidents — Sections 69–72

GUIDELINES FOR USING THE COR AUDIT TOOL

Question 5.1

Does the employer have an accident/incident investigation procedure?

Auditor Guideline

Review documentation (the accident/incident investigation procedure) to determine if it identifies what to report to WorkSafeBC, which incidents to investigate, the intent of the investigation and the content, distribution and follow-up of reports.

Employer Guideline

Ensure that the incident or accident investigation procedure identifies the following:

- 1. What to report to WorkSafeBC immediately (section 68 of the Act): This includes cases that resulted in serious injury to or death, a major structural failure or collapse of a building, the major release of a hazardous substance or were required by the OHS Regulation to be reported.
- 2. Which incidents to investigate (section 69 of the Act): An employer must immediately undertake an investigation into the cause of any accident or other incident that:
- Is required to be reported by section 68 of the Act.
- Resulted in injury that required medical treatment.





- Did not involve injury to a worker, or involved only minor injury not requiring medical treatment, but had the potential to cause serious injury to a worker.
- Was an incident required by the OHS Regulation to be investigated.
- 3. In addition, an employer needs to investigate all first aid cases, near misses, threats and significant property damage in a manner appropriate to the severity of the incident.
- 4. The intent of the investigation (section 70 of the Act): As far as possible, the investigation must:
- Determine the cause of the incident.
- Identify any unsafe conditions, acts or procedures that contributed in any way to the incident.
- Recommend corrective action to prevent similar incidents.
- 5. Content: This could include photos, diagrams, witness statements and contact information, events leading up to the incident and a description of incident.
- 6. Distribution: Who is required to get copies of the investigation? This should include the joint health and safety committee and senior management.
- 7. Follow-up of reports: What are the procedures for following up on the incident, and who is required to receive the updated reports?

Types of Documentation to Review

Accident investigation policy or procedure

Question 5.2

Have employees been made aware of the accident/incident investigation procedure?

Auditor Guideline

Interview employees to determine if they have been made aware of the accident/incident investigation procedure.

Employer Guideline

All employees should know that all incidents will be investigated. This question tests whether employees are aware of the company procedures for an investigation. Do they know the steps that will be followed, and what are their responsibilities during that process, if any? Their responses are measured against either the OHS Regulation requirements, the company system or this audit, whichever is the higher standard. For example, if the company system does not include investigation of first aid cases to any degree, and employees confirm this, there would be a negative finding.





Question 5.3

Are incidents/accidents investigated as per the company's procedures?

Auditor Guideline

- Review documentation (incident/accident investigation procedures and reports).
- Interview managers, supervisors and workers.

Employer Guideline

A review is done of all investigations performed in the past year. The auditor will want to verify that effective evidence-gathering techniques are used and that root causes were found and corrective actions taken and completed. Did management sign off on the investigation, did the joint committee review the investigation and was worker privacy protected? Through interviews, the auditor is looking for verification from employees that investigations are happening according to policy. Some workers interviewed may not know the details of an investigation if nothing happened in their work area, but they do need to know that, if there was an incident, it was investigated and the investigation was done by the appropriate individuals.

Types of Documentation to Review

Incident investigation policy or procedures, incident investigation reports

Question 5.4

Are the persons investigating incidents trained in investigation techniques?

Auditor Guideline

- Review documentation (training records).
- Interview investigators. Formal incident investigation training is required to achieve points.

Employer Guideline

There needs to be evidence of formal training for the people responsible for investigations. This could be through the Employers' Advisers Office or another recognized training institution. Certificates and training spreadsheets are the easiest way to verify this training but are not the only form of verification. Emails from the training institutes can also be used. Those who are competent to do so can also conduct internal training.





Question 5.5

Are investigation findings and recommendations discussed with the joint health and safety committee?

Auditor Guideline

Review documentation (joint committee meeting minutes) to ensure findings and recommendations are reviewed with the committee.

Employer Guideline

The joint committee meeting minutes are reviewed to see that incident investigations are being discussed. These minutes are often used to track the resulting corrective actions or demonstrate that there has been brainstorming to find solutions to the identified problems. Worker identities need to be protected in this process.

Question 5.6

Are employees aware of their responsibility to report all incidents?

Auditor Guideline

Interview employees to ensure they are aware of their responsibility to report all incidents and the procedures for doing so.

Employer Guideline

This question aims to determine what kind of incidents employees would report, whether they would report all incidents or just the serious ones. The same criteria as in question 5.2 apply. The interviewees need to report that all incidents are investigated, even if company policy does not demand that degree of thoroughness.





SUPPORTING RESOURCES

Incident Investigations

Employer Incident Investigation Report (Form 52E40) (WorkSafeBC) https://link.go2hr.ca/cor-E5-006

Guide to Completing an Employer Incident Investigation Report (EIIR) (WorkSafeBC) https://link.go2hr.ca/cor-E5-007

Incident Investigation (CCOHS) https://link.go2hr.ca/cor-E5-008

Workplace Incident Cost Calculator (WorkSafeBC) https://link.go2hr.ca/cor-E5-009

FORMS, POLICIES AND PROCEDURES

go2HR has sample forms, policies and procedures you may find helpful for developing your safety management system. You can download and modify the following Word documents to suit the specific needs of your operation:

- Incident Investigation Policy and Procedure https://link.go2hr.ca/cor-E5-010
- Incident Investigation Form https://link.go2hr.ca/cor-E5-011
- BC Ski Area Incident Investigation Tool (go2HR) https://link.go2hr.ca/cor-E5-012

