



Reporting accidents in the catering industry

Catering Information Sheet No 18

Introduction

There is some confusion in the catering industry as to the range of accidents that should be reported under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR). This is particularly so when accidents involve members of the public, the self-employed and acts of physical violence. The confusion has led to under-reporting of accidents.

This information sheet aims to explain the main requirements of the Regulations and provides some examples to illustrate the main problem areas.

What you need to report and who is responsible for making the report

Under RIDDOR the 'responsible person' has a legal duty to report certain accidents, diseases and dangerous occurrences. The table summarises who the 'responsible person' is and the incidents they should report.

To be reportable, the accident must 'arise out of or be in connection with work'. Understanding this phrase from the Regulations is vital to helping determine if an accident is reportable. Its broad meaning is that an accident will be reportable if it is associated in some way with how the work is carried out.

When assessing this, three key factors should be taken into account. These are:

- how the work is organised, supervised or performed;

- the plant or substances used, eg lifts, tables, gas/ electrical appliances and cleaning chemicals; and
- the condition of the premises or their maintenance, eg floors, carpets, lighting.

In general, if an accident is completely unconnected with any of these it will not be reportable.

What types of accidents to members of the public are reportable?

You must report any accidents 'arising from or in connection with work' if the customer/member of the public is taken to hospital. However, you are not required to check that hospital treatment is given. For example, the following are reportable:

- A customer is accidentally scalded while being served hot soup by staff and is taken to hospital for treatment.
- A customer slips on some spilled cream which had not been cleaned up and is taken to hospital for treatment.

The following examples of accidents would not be reportable as they did not 'arise out of or in connection with work':

- A customer knocks their soup bowl off the table while reaching for a wine glass - they sustain minor burns.
- A customer has a heart attack, not caused by the work activity, and is taken to hospital.

Reportable event	Injured person	Responsible person
Death, major injury, over-three-day injury or case of disease	Employee at work	Employer
Death, major injury or over-three-day injury	A self-employed person at work in premises controlled by someone else	Person in control of the premises at the time of the event
Major injury, over-three-day injury or case of disease	A self-employed person at work on premises under their control	Self-employed person or someone acting on their behalf
Death, or injury where a person is taken to hospital for treatment	A person not at work (but is affected by the work of someone else), eg a member of the public	Person in control of the premises
Dangerous occurrence		Person in control of the premises

What types of violence to staff are reportable accidents?

Injuries to people at work which 'arise out of or in connection with work' caused by a non-consensual act of physical violence are also reportable. The following are examples of reportable accidents involving violence to staff:

- A catering supervisor is hit by an assistant while asking them to carry out a work-related task.
- A barman is attacked by a member of the public when the barman requested the customer to leave as the bar was closing.

The following examples of violence would not be reportable as they did not 'arise out of or in connection with work'.

- Some customers are injured as a result of a brawl among other bar customers.
- A fight between members of staff over a personal matter results in one or both members of staff being injured.

However, accidents involving acts of violence may need to be reported to the police, whether or not they are reportable under RIDDOR.

What types of accidents are reportable involving contractors or those employed by an agency or another firm?

Death, major injury and over-three-day injuries to employees of contractors working on your premises are reportable by **their** employer. It may be helpful to have clear liaison arrangements in place so that their employer is made aware of any such reportable incidents.

The following incidents involving employees of contractors working on your premises would be reportable by their employer:

- An electrician is electrocuted and dies on your premises.
- A painter falls from a ladder in your hotel and breaks an arm.
- A contract waiter slips on a wet floor, strains his leg and is unable to wait at table for four days.

What happens if the accident involves self-employed contractors?

If a self-employed contractor is working on your premises and has an accident, then it is the responsibility of the person **in control of the premises** at the time to report the accident.

For example, a self-employed caterer (contracted to cater for a function at a town hall or similar premises) suffers an injury arising out of or in connection with work. It is the person in control of the premises, as the 'responsible person', who must report the accident. The self-employed caterer should make sure that the responsible person knows about the accident.

What are major injuries?

Reportable major injuries are:

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

What are over-three-day injuries?

An over-three-day injury is one which is not major but results in the injured person being away from work for more than three consecutive days, not counting the day of the injury but including days they would not normally be at work (such as weekends, rest days or holidays).

An over-three-day injury can also be one which results in the injured person being unable to do the full range of their normal duties for more than three consecutive days, not counting the day of the injury but including days they would not normally be at work (such as weekends, rest days or holidays).

For example, a waitress badly cuts two fingers on a broken glass on Monday and returns to work on Thursday. She can only use one hand, preventing her carrying out her normal silver service for a further two days, so is put on light/restricted duties. This would be reportable even though she was only absent from work for two days, because she was unable to carry out her normal duties for more than three consecutive days.

What other categories of incidents must you report?

Dangerous occurrences

Dangerous occurrences are specified events which do not result in a reportable injury but have the potential to cause significant harm. They are reportable by the **person in control of the premises** where the incident occurs.

Examples of dangerous occurrences which might occur in catering include:

- a cradle attached to the roof of your hotel, to be used by window cleaners, collapses and falls to the ground;
- an overloaded electric circuit causes a fire which destroys the kitchen.

Ill health/cases of disease

You must report any case in which a doctor notifies you in writing (for example on a medical certificate) that one of your employees is suffering from a disease listed in RIDDOR, and that their current job involves an associated work activity specified in those Regulations.

Self-employed people need to make their own arrangements to notify any reportable disease they suffer.

Reportable diseases which are most likely to occur in hospitality include occupational dermatitis and occupational asthma.

When and how to report

You must report the following accidents without delay, for example by telephone:

- fatal accidents;
- accidents resulting in major injuries;
- accidents to people who are not at work; and
- dangerous occurrences.

Over-three-day injuries should be reported within ten days.

Who do you report accidents to?

The reporting procedure which has been in place since 1996 is being simplified and offers a facility to report all cases to a single point, the Incident Contact Centre (ICC), based at Caerphilly.

This new arrangement will be available for all incidents that occur on or after 1 April 2001. The new centre will mean that you no longer need to be concerned about which office and which enforcing authority you should report to.

You can report incidents in a variety of ways, by telephone, fax, via the internet, or by post, making it more convenient for you. You can still report directly to your local HSE office or local authority (by phone and then on form F2508 or F2508A), and these reports will be forwarded to the ICC for processing.

If you use the internet or telephone service you may not have your own copy of the official reporting forms (F2508 and F2508A) - the requirement to keep a record of reported incidents for inspection by visiting officers still remains. To help with this you will be sent a copy of your report and given the chance to correct any errors in it.

The new procedure will make reporting easier. It should also improve the quality of the information obtained, allowing for more detailed risk assessments to help HSE and local authorities get a better understanding of trends.

- Please send postal reports to the following address:
Incident Contact Centre
Caerphilly Business Park
Caerphilly
CF83 3GG
- For internet reports please go to:
www.riddor.gov.uk
Or alternatively link in via the
HSE website: www.hse.gov.uk
- By telephone (charged at local call rate):
0845 300 9923
- By fax (charged at local call rate):
0845 300 9924
- By email: riddor@natbrit.com

What records do you need to keep?

You must keep a record of any reportable injury, disease or dangerous occurrence for three years from the date of the incident. This must include:

- the date and the method of reporting;
- the date, time and place of the event;
- personal details of those involved; and
- a brief description of the nature of the event or disease.

You can keep the record in any format you wish, for example by keeping copies of the report forms in a file, recording the details on a computer or maintaining a written log.

Further reading

A guide to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 L73 HSE Books 1999 ISBN 0 7176 2431 5

RIDDOR explained HSE31(rev1) HSE Books 1999
Single copies free, also available in priced packs of 10
ISBN 0 7176 2441 2

Report of an injury or dangerous occurrence/Report of a case of disease Forms F2508/F2508A HSE Books 1996
Combined pad of forms ISBN 0 7176 1078 0

While every effort has been made to ensure the accuracy of the references listed in this publication, their future availability cannot be guaranteed.

Further information

HSE priced and free publications are available by mail order from HSE Books, PO Box 1999, Sudbury, Suffolk CO10 2WA Tel: 01787 881165 Fax: 01787 313995 Website: www.hsebooks.co.uk (HSE priced publications are also available from bookshops.)

For information about health and safety ring HSE's InfoLine Tel: 08701 545500 Fax: 02920 859260 e-mail: hseinformationservices@natbrit.com or write to HSE Information Services, Caerphilly Business Park, Caerphilly CF83 3GG. You can also visit HSE's website: www.hse.gov.uk

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

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