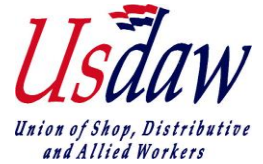




A Guide to The Accident Book



Why keep an Accident Book

Under Social Security law, anyone making a claim for Industrial Injury Benefit must have proof that the injury is work related. Employers are required to keep a record of accidents for this purpose. As a result an Accident Book or some equivalent means of recording accidents is needed.

The Accident Book (BL 510) was introduced to meet the requirements of the Data Protection Act (DPA). Basically it allows individual records to be removed and stored confidentially. If the employer chooses to use their own accident recording system (paper or electronic) it must capture the same information as BL510 and they must ensure that records are confidential and comply with data protection requirements.

Employee's responsibility:

It is the injured person's responsibility to ensure the details are entered into the Accident Book, either by themselves or by somebody acting on their behalf. Members should be encouraged to report injuries, no matter how trivial they seem at the time.

Details should include:

Section 1: Name, home address and occupation of injured person.

Section 2: Details of person making the entry if not the injured person.

Section 3: Time, date, location and description of what happened and signature of the person entering the details. The member should tick the box to allow the rep to receive the full report.

Section 4: To be filled in by the employer if the accident has to be reported under health and safety law.

The employer must not interfere with the individual's entry or change it in any way.

Employer's duty:

The employer:

- Must make the book/electronic record available
- Must investigate the cause of the accident
- Can add their version in section 3 if different from employee's version
- Must keep paper/electronic records (and any book covers) for at least 3 years

The employer must make sure that the Accident Books are numbered and that each record is numbered with the same number being entered on the stub in the Accident Book. At the front of the book the employer should identify the member of staff who is responsible for keeping the confidential records.

In some workplaces the employer may have decided that a nominated person (supervisor/personnel manager etc) should fill in the Accident Book. This ensures the entry is made and the accident investigated. But, the book must still be readily available and the member must be allowed to enter their version of the events, not the management's, and the member shouldn't be pressured into not making the entry.

If the manager refuses to allow access to the accident book or doesn't allow the member to record their own version of events, then the member or the Union rep acting on the member's behalf must make sure there is a written record of the problem.

The member or the Union rep should;

- **Write to the employer asking for the record to be made or changed.**
- **In the letter give the members name, address, occupation and the date, time, place and description of the accident/incident.**
- **Make sure the letter is signed and dated.**
- **Keep a copy in a safe place.**

Checking accident information:

Safety reps are entitled to information relating to the health and safety of their members, and to investigate accidents. The information in italics below is given by HSE.

A tick box is included on each page of the Accident Book asking whether the injured person gives his or her consent to the disclosure of the information contained in that record to safety representatives.

The employer should:

if the injured person has ticked the tick box (and signed the form), disclose the information contained in the accident record, so far as it relates to the injured person, to safety representatives and/or representatives of employee safety; anonymise the information if the injured person does not tick the tick box and disclose it to safety representatives and/or representatives of employee safety.

The information about the accidents will be kept in confidential records. If the member does not tick the box then the form should be given to the rep in anonymised form.

To ensure that safety reps are kept up to date it is vital that:

- **The member should tick the tick box on the revised accident book page, this will ensure that a full copy is given to the Usdaw rep**
- **The member keeps a photocopy of their accident book entry.**
- **The rep keeps their copy safe ready to use if there is a subsequent claim by the member.**

The member is entitled to a copy of their record at any time. Safety reps should encourage members to tell them when they have been injured. In addition there should be an agreement with management that the safety rep is informed when there is an accident and is given a chance to investigate and to talk to the member involved.

Monitoring Accidents:

Monitoring of workplace accidents/incidents is essential for reps. It helps spot trends and pinpoints areas of concern to our members. Copies of members' accident reports are very important. They can help to build up a profile of evidence of other similar accidents that may be useful in the event of a claim and may show some underlying health and safety problem.

As well as investigating accidents and keeping copies of members' accident records, safety reps should liaise with management and arrange for all accident reports (with the personal details removed) to be collated and reviewed on a regular basis at a safety committee or other suitable forum. This provides an opportunity to learn from the accident history, to identify the common types of accident and to discuss what can be done to prevent future accidents.

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