

The Health and Safety Executive is seeking views on a proposal to increase the reporting threshold for workplace accidents and injuries from 3 working days to 7 days (including non-working days).

The proposal raises some concerns and we intend to submit a short response. We would be happy to discuss the issues raised and would welcome your views for inclusion in our response.

The Health and Safety Executive is consulting on a proposed change to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 ("RIDDOR"). The consultation document can be found at <http://consultations.hse.gov.uk/gf2.ti/f/14146/372837.1/pdf/-/cd233.pdf>.

The deadline for responses is 9 May 2011.

The consultation stems from a recommendation made by Lord Young in his report into the UK Health and Safety regime (located at http://www.number10.gov.uk/wp-content/uploads/402906_CommonSense_acc.pdf)

At present under RIDDOR, a report must be made when an employee is absent from work for over three working days following a work-related accident or injury. The proposed change would see the length of time extended to seven days (including non-working days).

Information on work-related injuries resulting in over 3 days of absence would still need to be captured as part of an employer's separate obligation to maintain accident books.

The focus of Lord Young's recommendation was on increasing the accuracy of information obtained on workplace accidents. His report raised questions on the effectiveness of RIDDOR in capturing the relevant data, particularly in light of the relatively low current level of RIDDOR compliance.

HSE's response has been to outline an approach which it believes reduces the burden of reporting under RIDDOR. The proposed change to a seventh day reporting threshold will, according to HSE, result in fewer reportable incidents for businesses, saving time and money. Whether compliance levels will increase as a result is open to debate.

We intend to raise queries in response to the consultation, in respect of issues including:

- Whether HSE intends to extend the 10-day reporting window in light of the extension of the reporting threshold. Under the proposed changes and without an extension to the window, employers may find they have to submit a report within 2 working days where previously they would have had up to 6 days in which to submit.
- HSE's level of certainty that its proposed 'synthesising' of over 3-day accident data will satisfy its reporting requirements under EU regulations. Getting this wrong could mean HSE having to conduct a large scale retrospective data collection, covering up to a year of data following the introduction of the proposed changes.
- Concerns that increasing the reporting threshold will, in practice, further reduce the level of compliance, and the usefulness of the data in safeguarding health and safety will be reduced overall as a result.

We would be happy to discuss the proposals further if that would be helpful. If you would like us to include your views on the consultation in our response please do let us know.



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