

Accidents at work

When someone has an accident at work, depending on the severity, make sure the victim is comfortable and get a first aider to them as quickly as possible, and or call an ambulance. Call someone they know as quickly as possible, and get a friend or relative to go with them to hospital or meet them there. Don't waste time.

- ▲ If you smell noxious gases, or think they have been poisoned, don't go in a room or closed area without an appropriate respirator
- ▲ If you think they have been electrocuted: turn off the power – don't touch them
- ▲ If they have fallen into a collapsing ditch or trench – don't jump in to rescue them – follow rescue procedures
- ▲ Don't move someone who has had a fall
- ▲ If they are on fire use a fire blanket carefully and avoid getting hurt yourself

Investigating accidents

Safety representatives have rights to investigate accidents, and to be trained in this through the TUC programme.

Basic points: don't let anything be moved; take photos or sketches; make sure it is reported; take witness statements as soon as you can; investigate how it could have been prevented and write this into the accident report as soon as you can.

Official reports of accidents

The law requires the more serious accidents at work to be reported and safety representatives have rights to investigate accidents.

They should be reported in writing to either HSE or the local Environmental Health Department and to the Incident Contact Centre (ICC). There are separate

reporting arrangements for railway and mine incidents. Reports can be made:

- ▲ By phoning: **0845 300 9923**
- ▲ At www.riddor.gov.uk
- ▲ At www.hse.gov.uk
- ▲ By post to: **Incident Contact Centre, Caerphilly Business Park, Caerphilly, CF83 3GG**
- ▲ Or email: riddor@connaught.plc.uk

Industrial Injuries Disablement Benefit (accidents)

You may want to claim Industrial Injuries Disablement Benefit (accidents) if you're ill or disabled because of an accident at work, if you were employed when the accident happened. You cannot claim if you were self-employed. The amount you may get depends on your individual circumstances and on a doctor's assessment of the extent of disability. It may effect means-tested benefits, so you need to check this out with a benefits adviser. The Department of Work and Pensions say that you can apply for a declaration that you have had an industrial accident, even if you do not want to claim any benefit right away. It is a good idea to apply for a declaration if you are not disabled immediately after your accident, but you think you may experience problems in the future as a result.

When someone is killed at work

The coroner is a doctor or lawyer responsible for investigating deaths. The police or a doctor will report workplace deaths to the coroner. That is deaths after an accident or injury or following an industrial disease. Anyone who is concerned about the cause of a death can inform a coroner about it.

Once a death is reported to the coroner

The coroner may be the only person able to certify the cause of death: you will be given a Formal Notice about this,

with details of how to register the death, and told if further investigations will delay the funeral.

Where a post-mortem has taken place, the coroner must give permission for cremation.

A post-mortem

This is a medical examination of the body, done in hospital, to find out more about the cause of death. You do not have the right to object to a post-mortem ordered by the coroner, but you should tell the coroner if you have religious or other strong objections.

Inquests

An inquest is a legal inquiry into the medical cause and circumstances of a death. It is held in public – sometimes with a jury – by a coroner, in cases where the death was violent or unnatural. If an inquest is held, the coroner must inform: the married or civil partner of the deceased or the nearest relative (if different from the above) or the personal representative (if different from the above).

Relatives can attend an inquest and ask questions of witnesses – about the medical cause and circumstances of the death. Relatives can have a lawyer to represent them, but there is no legal aid available for this. It is important to have a lawyer to represent you if the death was caused by an accident at work. You cannot get legal aid for this. Trade unions will ensure a lawyer represents their members.

- ▲ See: <http://www.direct.gov.uk/en/Governmentcitizensandrights/Death/WhatToDoAfterADeath/>

This site gives information about claiming for a lump sum bereavement payment, the weekly bereavement allowance, paid for a year; these benefits are based on your ex-husband, wife or civil partner's national insurance payments. It also tells you about the Widowed Parents Allowance if you have dependents under 20 years for whom you receive Child Benefit.

Accident Report Form

If you have been injured in an accident at work that was not your fault, you may be able to make a personal injury claim for compensation. You need to be able to prove that your employer – or the person in control of the work such as a contractor – was negligent. Many factors can be looked at to assess negligence:

- ▲ the general state of the workplace or site
- ▲ the competency of those in charge of training
- ▲ the amount and quality of training given to you
- ▲ the types and condition of equipment used; was it maintained properly? Was it obsolete?

▲ were procedures followed?

We advise workers who have had an accident to contact their union legal departments as soon as possible, who will assess the possibility of a claim. They can find out how through their safety representatives or branch secretaries. London Hazards Centre may be able to help those not in a union get in touch with a specialist personal injury lawyer rather than a general high street lawyer. However it is always best to be in a trade union.

Name	Date of birth
Address	
	Contact telephone number
Date the accident happened	Trade Union
Employer and Address	
Where did the accident happen (eg canteen, stairs, cold store)	Please give details of the accident
First aid given by	Was it reported in the accident book?
Any other medical treatment (was an ambulance called, did you go to your own doctor)	
Were you off work 1–3 days? <input type="checkbox"/> Over 3 days? <input type="checkbox"/> Over 7 days? <input type="checkbox"/> Did you get sick pay?	
Witness details (name, address, phone if possible)	Witness details (name, address, phone if possible)
Signature	Date

To get information from London Hazards Centre on how to prevent accidents fill out the form and send to LHC FREEPOST 213 Haverstock Hill London NW3 4QP

Factsheets online www.lhc.org.uk London advice 020 7794 5999



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