



## ***Guidance for the Statutory Reporting of Incidents (RIDDOR)***

  
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	<b>GUIDANCE FOR THE STATUTORY REPORTING OF INCIDENTS (RIDDOR)</b>		<b>LRSSB - LRG - 12.0</b>	
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<b>DESCRIPTION:</b>				
THIS DOCUMENT PROVIDES GUIDANCE IN RELATION TO STATUTORY REPORTING OF INCIDENTS (RIDDOR) FOR LIGHT RAIL STAFF				
<b>EXPLANATORY NOTE:</b>				
LRSSB is not a regulatory body and compliance with this guidance document is not mandatory. This document reflects good practice and is advisory only. Users are recommended to evaluate this guidance against their own arrangements in a structured and systematic way, noting that parts of this guidance may not be appropriate to their operations. It is recommended that this process of evaluation and any subsequent decision to adopt (or not adopt) elements of this guidance should be documented. Compliance with any or all of the contents herein, is entirely at an organisation's own discretion.				
<b>SOURCE / RELATED DOCUMENTS:</b>				
LRG 1.0 Tramway Principles and Guidance (TPG) (LRSSB) Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 Guidance for Railways, tramways and other guided transport systems ORR September 2019				
<b>RELATED TRAINING COURSES:</b>			<b>RELATED LEGISLATION:</b>	

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N/A	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013 Confined Spaces Regulations 1997 Health and Safety at Work Act etc. 1974 Railways and Other Guided Transport Systems (Safety) Regulations (ROGS) 2006 (as amended) Railways (Accident Investigation and Reporting) Regulations 2005 Fire Precautions (Sub-Surface Railway Stations) Regulations 1989 Fire Precautions (Sub-Surface Railway Stations) (England) Regulations 2009 Control of Substances Hazardous to Health Regulations 2002 Manufacture and Storage of Explosives Regulations 2005 Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 Pressure Systems Safety Regulations 2000
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## LRSSB

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### Revisions from Previous Issue

Numerous minor text amendments.

Additional footer references in relation to existing text.

Minor presentational and typographical changes.

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## TERMS AND ABBREVIATIONS

**Table A – Terms**

Term	Definition
<b>Accident</b>	A separate, identifiable, unintended incident, which causes physical injury including acts of non-consensual violence to people at work. (As defined in RIDDOR.)
<b>Biological Agent</b>	A micro-organism, cell culture, or human endoparasite, whether or not genetically modified, which may cause infection, allergy, toxicity or otherwise create a hazard to human health. (As defined under Regulation 2(1) of Control of Substances Hazardous to Health Regulations 2002.)
<b>Carcinogen</b>	A Carcinogen is a substance or a preparation which if it was classified in line with Regulation 4 of the Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 would be in the Category 1 or 2 (danger or carcinogenic) whether or not the substance or preparation would be required to be classified under these Regulations or is a substance or preparation: listed in Appendix 2 or arising from a process specified in Appendix 2 which is a substance hazardous to health.
<b>Cell Culture</b>	The in-vitro growth of cells derived from multicellular organisms.
<b>Consecutive Days</b>	Includes any days which are not or would not have been working days.
<b>Danger Zone</b>	The area from which persons have been excluded or forbidden to enter to avoid being endangered by any explosion or ignition of explosives.
<b>Dangerous Occurrence</b>	As defined in Part 1 Schedule 2, Part 5 of RIDDOR (Sections 8 and 9 of this document).
<b>Diagnosis</b>	A registered medical practitioner's identification of new or worsened symptoms and obtained in writing where it relates to an employee.
<b>Disease</b>	Includes a medical condition.
<b>Duty Holder</b>	Person in charge of operational activities at a particular time.
<b>Enclosed Space</b>	Any space that is fully or partially enclosed to the extent this increases risk to health and safety of a person within the space, due to its enclosed nature, including those defined under the Confined Spaces Regulations 1997 and also includes similar spaces where there is a foreseeable risk of hypothermia.
<b>Enforcing Authority</b>	The Government defined body responsible for the enforcing of health and safety legislation within a given sphere. In relation to Light Rail, this is ORR.
<b>Infrastructure Manager</b>	Any person or organisation responsible for managing and operating a tramstop or developing and maintaining infrastructure other than a tramstop, or any person or

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	organisation that manages and uses the infrastructure or tramstop or allows it to be used for operating a vehicle.
<b>Term</b>	<b>Definition</b>
<b>Micro-Organism</b>	A microbiological entity, cellular or non-cellular, which is capable of replication or of transferring genetic material.
<b>Mutagen</b>	Mutagen is a substance or preparation which if it was classified in line with Regulation 4 of the Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 would be in the Category 1 or 2 (danger or carcinogenic) whether or not the substance or preparation would be required to be classified under these Regulations.
<b>Narrative Verdict</b>	Verdict given by coroners in England and Wales following an inquest where the circumstances of a death are recorded without attributing the cause to a named individual
<b>Non-Passenger Tram</b>	Any tram except passenger trams including empty trams, i.e. passenger trams that are not in service.
<b>Non-Worker</b>	Those who are not involved in the operation of the Light Rail system at the time of the incident and includes passengers and members of the public such as level crossing users.
<b>Occupational Diseases</b>	Diseases caused or exacerbated by certain work as defined by Regulation 8 of RIDDOR.
<b>Over-Seven-Day Injury</b>	When an injured person is away from work or unable to undertake normal duties for more than seven consecutive days as a result of an accident in connection with work.
<b>Passenger Tram</b>	A tram carrying passengers or made available to carry passengers.
<b>Premises</b>	As defined by Section 53 of Health and Safety at Work etc. Act 1974. For Light Rail systems this includes the infrastructure, land, vehicles, tramstops (including platforms), signal box / signalling equipment and office buildings.
<b>Reportable Diagnosis</b>	Any diagnosis that is reportable under RIDDOR Regulation 8, 9 or 10.
<b>Reportable Incident</b>	An incident giving rise to a notification or reporting requirement under RIDDOR.
<b>Responsible Person</b>	Anyone with the duty to notify, report and record the events (injury, death, disease or dangerous occurrence) as defined under RIDDOR Regulation 3.
<b>Running Line</b>	Any line that is used for the passage of tram and Light Rail vehicles that is not a siding.
<b>Specified Injury</b>	Any injury of condition specified in RIDDOR Regulation 4 (1)(a) to (h) (and Section 5.1 of this guidance).
<b>Tramway</b>	<p>A system of transport:</p> <ul style="list-style-type: none"> <li>• Which is used completely or mainly to carry passengers;</li> <li>• Where the maximum speed allows the driver to stop a vehicle in the distance he can see to be clear ahead; and</li> <li>• Which uses parallel rails which:</li> </ul>

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	<ul style="list-style-type: none"> <li>Support and guide vehicles carried on flanged wheels; and</li> </ul>
<b>Term</b>	<b>Definition</b>
	<ul style="list-style-type: none"> <li>are laid completely or partly along a road or in any other place to which the public has access (including a place where the public has access only after making a payment).</li> </ul> <p>(As defined in ORR guidance 'Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 Guidance for Railways, tramways and other guided transport systems'.)</p>
<b>Transport Undertaking</b>	Any person or organisation that operates a vehicle in relation to any infrastructure (excluding people or organisations that only carry out work in 'engineering possessions' where sections of track that are closed to normal traffic for maintenance work).
<b>Work-Related Accident</b>	An accident arising out of or in connection with work.
<b>Worker</b>	Permanent and temporary employees, apprentices, trainees, and agency staff who work either full or part time.

**Table B – Abbreviations**

Abbreviation	Definition
<b>DfT</b>	Department for Transport
<b>DO</b>	Dangerous Occurrence
<b>HAVS</b>	Hand-Arm Vibration Syndrome
<b>HSE</b>	Health and Safety Executive
<b>LRSSB</b>	Light Rail Safety and Standards Board
<b>ORR</b>	Office of Rail and Road
<b>RAIB</b>	Rail Accident Investigation Branch
<b>RIDDOR</b>	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
<b>ROGS</b>	The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (as amended)
<b>TPG</b>	Tramway Principles and Guidance



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## 1. Introduction

- 1.1. This guidance document sets out an outline of the statutory regulations for Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)<sup>1</sup> for all Light Rail operators, and staff delegated this responsibility (the 'responsible person' as defined in Regulation 3 of RIDDOR, refer to Section 2.3 below) in relation to UK Light Rail systems (tramways) based on 'line-of-sight' operations only.
- 1.2. The guidance is for anyone who has the duty to notify, record or report any relevant event, defined in RIDDOR as 'the responsible person'.
- 1.3. This document provides a summary of the areas where Light Rail operators must comply with the RIDDOR Regulations, with particular regard to the requirements of the Office of Rail and Road (ORR) as the relevant enforcing authority for Light Rail systems.
- 1.4. This document is a supplementary guide in addition to those that are already available to the rail sector.

<sup>1</sup> <https://www.legislation.gov.uk/uksi/2013/1471/contents/made>

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## 2. Scope

- 2.1. RIDDOR requires all Light Rail systems to report deaths, certain serious workplace accidents, specific and / or occupational diseases and specified dangerous occurrences (near-misses) which occur in connection with work (i.e. Light Rail related) to be reported to the ORR as the relevant enforcing authority. Anything outside of this should be reported to the Health and Safety Executive (HSE).
- 2.2. RIDDOR clearly defines responsibilities for various roles and people within a work environment and specifies actions that must be taken by the various roles.
- 2.3. The responsible person for reporting an incident is defined in Regulation 3<sup>2</sup> and summarised below:
  - An employer;
  - A self-employed person; or
  - A person who was in control of the premises where the reportable or recordable incident happened, at the time<sup>3</sup>.
- 2.4. Table 2.1 below provides a breakdown of the different reportable events under RIDDOR and the responsible person for each event.
- 2.5. ORR has published guidance to RIDDOR 'Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 Guidance for Railways, tramways and other guided transport systems'<sup>4</sup>.
- 2.6. In addition, the HSE has produced general industry wide guidance to RIDDOR<sup>5</sup>.
- 2.7. The Rail Accident and Investigation Branch (RAIB) have also published guidance on the Railway (Accident Investigation and Reporting Regulations) 2005<sup>6</sup>; this includes Forms RAIB N1 'Notification Form', RAIB N2 'Monthly Bulk Return' and RAIB N3 'Quick Guide to Notifying Accidents and Incidents on UK Railways'.
- 2.8. The structure of this document is such that it sets out the reporting and recording requirements for Light Rail systems under RIDDOR and then it presents more detail of each of the types of reportable events.

2 RIDDOR Regulation 3: <https://www.legislation.gov.uk/ukxi/2013/1471/regulation/3/made>

3 Although the Light Rail operator will not normally be responsible for reporting accidents which occur in separate premises within a tramstop not under their control, for example shops leased to other operations (unless it is to one of the employees of the station operator), no distinction is made to the operator's obligations for reporting fires where the premises fall within the scope of the Fire Precautions (Sub- Surface Railway Station) Regulations 1989 and such fires should be reported by the station.

4 <https://www.orr.gov.uk/sites/default/files/om/riddor-guidance.pdf>

5 <https://www.hse.gov.uk/riddor/>

6 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/456936/guidance\\_to\\_rair\\_regs\\_v4.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/456936/guidance_to_rair_regs_v4.pdf)

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Table 2.1 Breakdown of the Different Reportable Events Under RIDDOR (Contained as Table 1 within the ORR guidance 'Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 Guidance for Railways, tramways and other guided transport systems' September 2016.)

Type	Person Affected	Responsible Person
<b>Injuries and Diseases</b>		
Death, specified injury, over-seven-day injury, case of disease	Employee at work	Employer
Death, specified injury, over-seven-day injury	Self-employed person working in premises under the control of someone else	The person in control of the premises at the time of the event and in connection with them carrying out their work
Specified injury, over-seven-day injury	Self-employed person working in premises under their control	The self-employed person or someone carrying out work on their behalf
Case of disease	Self-employed person working in premises under the control of themselves or someone else	
Death, injury requiring carriage to hospital for treatment	A person not at work but who is affected by the work of someone else	The person in control of the premises where, or in connection with work at which, the accident causing the injury occurred both at the time of the event and in connection with them carrying out their work
<b>Dangerous Occurrences</b>		
One of the dangerous occurrences listed in Section 8 and Section 9 of this document (as defined by RIDDOR)	The person in control of the premises where, or in connection with work at which, the accident causing the injury occurred both at the time the dangerous occurrence occurred and in connection with them carrying out their work	

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### 3. Reporting

- 3.1. Under RIDDOR<sup>7</sup>, there is a legal requirement for Light Rail systems to report relevant events to ORR by the methods and in the timescales defined in Table 3.1 below.

Table 3.1 Relevant Events to be Reported to ORR

Incident	Reporting Method	Reporting Timescale
Non-serious dangerous accidents or dangerous occurrences	To be reported using <a href="https://raildata.orr.gov.uk/riddor">https://raildata.orr.gov.uk/riddor</a>	Not more than 3 days
Serious incidents	Immediately reporting by telephone and then a written on line report to <a href="https://raildata.orr.gov.uk/riddor">https://raildata.orr.gov.uk/riddor</a>	Immediate and then within 10 days
Over-seven-day injuries	Immediately reporting by telephone and then a written on line report to <a href="https://raildata.orr.gov.uk/riddor">https://raildata.orr.gov.uk/riddor</a>	Immediate and then within 15 days
Occupational disease, occupational cancer, or disease due to occupational exposure to a biological agent	Written on line report to <a href="https://raildata.orr.gov.uk/riddor">https://raildata.orr.gov.uk/riddor</a>	Within 10 calendar days of diagnosis from medical practitioner

- 3.2. The following types of accidents or incidents are reportable to ORR:

- Non-fatal injuries to workers as a result of a work-related accident (RIDDOR Regulation 4) (refer to Section 5 of this guidance);
- Non-fatal injuries to non-workers as a result of a work-related accident (RIDDOR Regulation 5) (refer to Section 6 of this guidance);
- Death as a result of a work-related accident (RIDDOR Regulation 6) (refer to Section 7 of this guidance);
- Dangerous occurrences (RIDDOR Regulation 7) (refer to Section 8 and Section 9 of this guidance);
- Occupational diseases (RIDDOR Regulation 8) (refer to Section 10 of this guidance); and
- Diagnosis of any cancer attributed to occupational exposure to known carcinogens or mutagens and any disease attributed to occupational exposure to biological agents (RIDDOR Regulation 9) (refer to Section 10 of this guidance).

- 3.3. It must be noted that if an accident occurs at work, it may not necessarily be 'work-related' as the work activity itself must contribute to the incident. Regulation 2 (2)<sup>8</sup> of RIDDOR defines a work-related' accident or dangerous occurrence that is attributed to any of the following:

- The way the work was undertaken;

<sup>7</sup> Part 1 of Schedule 1: <https://www.legislation.gov.uk/ukxi/2013/1471/schedule/1/part/1/made>  
<sup>8</sup> RIDDOR Regulation 2 (2): <https://www.legislation.gov.uk/ukxi/2013/1471/regulation/2/made>

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- The machinery, plant, substances or equipment used for the purposes of the work; or
  - The condition of the site / premises used for work purposes where the accident occurred.
- 3.4. In responding to RIDDOR, ORR guidance also considers accidents to members of the public to be reportable if they:
- Occur on a Light Rail system's premises;
  - Were caused by the operation of the Light Rail system; and / or
  - Result in death or injuries where the person was taken to hospital for treatment for the injury.
- 3.5. All reportable incidents outside of those in Table 2.1 above, i.e. outside of the operation of a Light Rail system (including occupational disease or diagnoses reportable under RIDDOR Regulation 8<sup>9</sup> and Regulation 9<sup>10</sup>), should be reported to the HSE.
- 3.6. Where an employer has employees working on rail and non-rail infrastructure, a judgment should be made whether the report should be sent to ORR or HSE depending on where the most significant exposure to the associated incident is likely to have taken place.
- 3.7. The function of these reports is not only to alert ORR to individual incidents, and to provide data relating to risks and whether they need to be investigated. As well as identifying trends, the data also enables ORR to target their activities effectively including advising employers how to avoid deaths, injuries, occupational diseases and dangerous occurrences.
- 3.8. Some accidents must also be reported to the RAIB under the Railways (Accident Investigation and Reporting) Regulations 2005<sup>11</sup> which may be required in a shorter timescale than those required under RIDDOR.
- 3.9. Although the reporting procedure will depend on what is being reported / the seriousness of what is being reported, it should be made immediately and by the quickest means.
- 3.10. Those incidents that are considered serious incidents under RIDDOR are outlined in Appendix 1 of this document. They will require a more immediate attention by an inspector and must be reported by telephone **immediately**. If this is between Monday to Friday from 09:00 to 17:30 it is the ORR who must be contacted on telephone number 020 7282 3910. If outside these hours, for serious incidents, the Department for Transport (DfT) Duty Officer must be contacted on telephone number 020 7944 5445.
- 3.11. Notification by telephone must be followed by the submission of a written report using ORR's on line facility<sup>12</sup> within ten days. This is extended to 15 days for over-seven-day injuries (for further information on over-seven-day injuries refer to Sections 5.2 and 5.3).

9 RIDDOR Regulation 8: <https://www.legislation.gov.uk/ukxi/2013/1471/regulation/8/made>

10 RIDDOR Regulation 9: <https://www.legislation.gov.uk/ukxi/2013/1471/regulation/9/made>

11 <https://www.legislation.gov.uk/ukxi/2005/1992/contents/made>

12 <https://dataportal.orr.gov.uk/>

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3.12. Non-serious dangerous accidents or dangerous occurrences (those not listed in Appendix 1) must be reported using ORR's on line facility. ORR would expect this to be reported not more than three days after the incident.

3.13. Only duty holders, the police or another organisation seeking to report a serious tramway incident should report under RIDDOR using the telephone numbers.

3.14. The information listed below must be provided when the report is made:

- Name, organisation and telephone number of the reportee;
- Date and time of the incident;
- Location of the incident;
- The tram (Light Rail vehicles) it involved;
- What happened;
- Number of casualties;
- Whether casualties were passengers, Light Rail employees, or other member of the public;
- The initial cause and / or influencing factors (if known); and
- The line / route affected and any delays to services.

3.15. The person reporting the incident should make their own note of the time they reported the incident and the name of the person they spoke to in addition to the items listed in Table 4.1 below.

3.16. Any report relating to a diagnosis of an occupational disease, occupational cancer or disease due to occupational exposure to a biological agent must be reported using ORR's on line facility: <https://raildata.orr.gov.uk/riddor>. ORR would expect this to be reported not more than ten calendar days after diagnosis being received from a registered medical practitioner.

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## 4. Recording

- 4.1. Recording is a legal requirement as this is the responsible person's record of an incident or diagnosis reportable by RIDDOR<sup>13</sup>. Records must be kept for three years in relation to any of the following reportable incidents:
- Non-fatal injuries to workers as a result of a work-related accident (RIDDOR Regulation 4) (refer to Section 5 of this guidance);
  - Non-fatal injuries to non-workers as a result of a work-related accident (RIDDOR Regulation 5) (refer to Section 6 of this guidance);
  - Death as a result of a work-related accident (RIDDOR Regulation 6) (refer to Section 7 of this guidance);
  - Dangerous occurrences (RIDDOR Regulation 7) (refer to Section 8 and Section 9 of this guidance);
  - Diagnosis of an occupational disease or ill health condition (RIDDOR Regulation 8 and Regulation 9) (refer to Section 10 of this guidance); and
  - Injury resulting in a person being unable to carry out their normal duties for more than three consecutive days after the incident.
- 4.2. The information collected is a vital management tool as it enables the responsible person to make sure that what they are doing is sufficient to ensure safety and prevent dangerous occurrences.
- 4.3. Records are also a management tool that can be used in risk assessments and used to provide solutions to potential risks to mitigate their occurrence and severity.
- 4.4. RIDDOR permits the responsible persons to choose arrangements for the way their records are made and kept. However, there is a minimum amount of information that shall be collected as outlined below in Table 4.1 below. Note there may be other information that the responsible person may also want to include (refer to Section 3.15 above).
- 4.5. Records must be stored either at the usual location of business of the responsible person, or in the place where the work to which they relate is carried out.
- 4.6. If requested by the ORR, extracts of records must be made available. Records can also be requested by an inspector from the ORR<sup>14</sup> and must be provided as soon as reasonably practicable, which can be related to where they are stored.

<sup>13</sup> RIDDOR Regulation 12 (<https://www.legislation.gov.uk/uksi/2013/1471/regulation/12/made>) and Part 2 of Schedule 1 (<https://www.legislation.gov.uk/uksi/2013/1471/schedule/1/part/2/made>)

<sup>14</sup> Utilising powers under Section 20 of the Health and Safety at Work Act 1974.

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Table 4.1 Records by Incident

Type of Incident	Records to be Made
Death, injuries and dangerous occurrences at work	Date and time; Person's full name, occupation and injury; Location of incident; Brief description of circumstances; Date when reported to ORR (accept injuries that incapacitate for more than three consecutive days); and Method the incident was first notified / reported (accept injuries that incapacitate for more than three consecutive days).
Death, injuries and dangerous occurrences not at work	Date and time Person's full name, status (for example, passenger, bystander etc) and injury; Location of incident; Brief description of circumstances; Date when reported to ORR (accept injuries that incapacitate for more than three consecutive days); and Method the incident was first notified / reported (accept injuries that incapacitate for more than three consecutive days).
Occupational diseases	Date of diagnosis; Name of person; Occupation; Name / nature of disease; Date first reported to ORR; and Method the disease was reported.



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## 5. Non-Fatal Injuries to Workers

5.1. The following guidance sets out the legal requirements in Regulation 4<sup>15</sup> of RIDDOR relating to the following specified non-fatal injuries that, if occurring out of or in connection with work, are reportable to the ORR.

- Any bone fracture diagnosed by a registered practitioner (not including finger, thumb or toe);
- Amputation of an arm, hand, thumb, finger, leg, foot or toe;
- Any injury diagnosed by a registered medical practitioner as being likely to cause permanent blinding or reduction in sight in one or both eyes;
- Any crush injury to the head or torso causing damage to the brain or internal organs in the chest or abdomen;
- Any burn injury including scalding that:
  - Covers over 10% of the whole body's surface area; or
  - Causes significant damage to the eyes, respiratory system or other vital organs;
- Any degree of scalping<sup>16</sup> requiring hospital treatment;
- Loss of consciousness caused by head injury or asphyxia;
- Any injury arising from working in an enclosed space<sup>17</sup> which either:
  - Leads to hypothermia or heat-induced illness<sup>18</sup>; or
  - Requires resuscitation or admittance to hospital for more than 24 hours.

5.2. Any 'over-seven-day' injury must also be reported as soon as practicable and the accident needs to be reported within 15 days. When calculated the number of days, the day of the accident should not be counted. However, any of the rest or non-working days should be included. In practice this means at least eight days.

5.3. An over-seven-day injury does not include any post-traumatic stress disorder following a one-off incident that has resulted in someone else being injured. Post-traumatic stress disorder is not defined as an accident as it is not a physical injury but a recognised medical condition and also defined as a disease.

<sup>15</sup> RIDDOR Regulation 4: <https://www.legislation.gov.uk/uksi/2013/1471/regulation/4/made>

<sup>16</sup> Defined as the separation of skin from the head.

<sup>17</sup> Any space that is fully or partially enclosed to the extent this increases risk to health and safety of a person within the space, due to its enclosed nature, including those defined under the Confined Spaces Regulations 1997 (<https://www.legislation.gov.uk/uksi/1997/1713/contents/made>) and also includes similar spaces where there is a foreseeable risk of hypothermia.

<sup>18</sup> Including situations where a person suffers an adverse physical reaction to intense heat or cold to the degree they require assistance from another person.

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## 6. Non-Fatal Injuries to Non-Workers

6.1. The following guidance sets out the legal requirements in Regulation 5<sup>19</sup> of RIDDOR relating to non-fatal injuries to non-workers if they happen under the following criteria:

- Occur on the Light Rail system's premises;
- Connected to the operation of the Light Rail system;
- Occur out of or in connection with work; and / or
- Cause the person to be taken to hospital from the site of the incident for the treatment<sup>20</sup> of the injury that has occurred.

6.2. If a person is taken to hospital as a result of the injury that has occurred, it is not necessary for the responsible person to know what happened when the person was at hospital, they just need to be aware that they have been taken there for treatment. In doing so, ORR expects a judgment to be made on the information available at the time. Therefore there is no requirement to make further enquiries including whether treatment was required.

6.3. There is no requirement to report incidents where:

- People are taken to hospital as a precaution although no injury is evident;
- It is not known if the person has gone to hospital; or
- The person declines to go to hospital and then after leaving the premises makes their own way to the hospital.

6.4. In relation to accidents involving people who are not at work, they will all be regarded as arising out of or in connection with work if the operation or activity or the condition of the Light Rail infrastructure caused or contributed to the accident. This includes the following:

- The way the work was carried out;
- Any machinery, plant, substances or equipment used for the work; or
- The condition of the site or premises where the accident happened.

6.5. Injuries are not automatically accidents. To be classified as an accident there must be a separate, identifiable, unintended external event or incident that caused the physical injury, which includes acts of non-consensual violence to people at work. Under RIDDOR, any cumulative exposures to hazards which may later cause an injury are not classified as accidents.

6.6. Injuries that are the result of a person's accident that are not regarded as occurring in connection or as a result of work even if the injured person is taken to hospital. These are not exhaustive and include an assault by another member of the public and if they were running to a tram and slipped and the floor was not in poor condition or had been subject to treatment in connection with work are not reportable.

<sup>19</sup> RIDDOR Regulation 5: <https://www.legislation.gov.uk/uksi/2013/1471/regulation/5/made>

<sup>20</sup> Where someone is taken to hospital as it appears they may require medical attention.

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## 7. Work Related Fatalities

- 7.1. The legal requirements relating to work related fatalities as set out in Regulation 6<sup>21</sup> of RIDDOR require any death resulting from an accident in connection with work or an occupational exposure to a biological agent to be reported.
- 7.2. If the fatality of an employee is within one year of the date of the accident as a result of a condition which is reportable as a non-fatal injury to workers (as detailed in Section 5 of this document), the ORR must be notified in writing by the responsible person. This is a requirement whether the original incident was reported as a non-fatal injury or not.
- 7.3. For Light Rail systems, this includes members of the public including passengers, authorised visitors and trespassers if the incident occurs in the following circumstances:
  - On any part of the Light Rail system premises;
  - Due in any way to the operation of the Light Rail system; and
  - Arises out of connection with work.
- 7.4. Suicides are not to be reported under RIDDOR. Although the cause of death may not be confirmed until a verdict is received from a coroner or for Scotland the Procurator Fiscal if there is a suspicion of suicide, the death should not be reported.
- 7.5. In order to define what constitutes as suicide, any of the following on its own can be used as evidence of suicide where the coroner or Procurator fiscal has returned an open or narrative verdict or where a verdict is awaited:
  - Suicide note;
  - Clear statement of suicidal intent to an informant;
  - Behaviour that demonstrated suicidal intent;
  - Previous suicide attempts;
  - Prolonger depression; or
  - Instability, such as a marked emotional reaction to recent stress or evidence of failure to cope.
- 7.6. Death from natural causes is not reportable unless it is shown that there is suspicion that the death arose in connection to work. This may not be confirmed until a post-mortem has been performed.
- 7.7. In addition, the death of a self-employed person is not reportable if it happened on premises controlled by that self-employed person.

<sup>21</sup> RIDDOR Regulation 6: <https://www.legislation.gov.uk/uksi/2013/1471/regulation/6/made>

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## 8. Dangerous Occurrences Specific to Relevant Transport Systems

- 8.1. The following guidance sets out the legal requirements in Regulation 7<sup>22</sup> of RIDDOR relating to dangerous occurrences specific to relevant transport systems that are reportable to ORR. The relevant dangerous occurrence (DO) paragraph number as contained in Part 5 of Schedule 2 has been included to enable easy reference to the RIDDOR Regulations.
- 8.2. The occurrences listed below are the circumstances that are reportable to ORR under RIDDOR as they are considered DOs. They are explained in further detail in the following paragraphs.
- Collision or derailment of a tram<sup>23</sup> for carrying passengers<sup>24</sup> (DO 54 and DO 55);
  - Collision or derailment of a tram<sup>25</sup> that is not for carrying passengers<sup>26</sup> (DO 56 and DO 57);
  - Accidents involving any tram (DO 58, DO 59, DO 60, DO 61 and DO 62);
  - Failure of tram parts (if discovered or occurs on a running line) (DO 63);
  - Fire (DO 64);
  - Severe electrical arching or fusing (DO 65);
  - Level crossings /at grade crossings for tramways (DO 66, DO 67 and DO 68);
  - The permanent way or other works (DO 69, DO70, DO 71, DO 72, DO 72 and DO 73); and
  - Incidents of signals passed without authority (DO 74).

### Collision or Derailment of a Tram for Carrying Passengers (DO 54 and DO 55)

- 8.3. This requires the reporting of any collision between a tram for carrying passengers and another tram, and / or the derailment of whole or part of a tram for carrying passengers.

### Collision or Derailment of a Tram that is Not for Carrying Passengers (DO 56 and DO 57)

- 8.4. Any collision between non-passenger tram which occurs either on a running line<sup>27</sup> and causes damage to a tram, or in a siding that causes damage to a tram and an obstruction to the running line must be reported.
- 8.5. Where there has been a collision of a tram with another tram or vehicle, even if it is not reportable under DO 56, it will be reportable under DO 19 if the collision could have resulted in the death or specified injury of any person (refer also to 9.21 below).
- 8.6. In addition, the derailment of a non-passenger tram must be reported if this occurs on a running line (except during shunting operations that do not obstruct the running line) or in a siding which causes an obstruction to the running line.

22 RIDDOR Regulation 7: <https://www.legislation.gov.uk/uksi/2013/1471/regulation/7/made>

23 Any locomotive, tram, any other power unit and / or any vehicle used on the Light Rail system. Unless they are not within an engineering possession, this also includes road-rail vehicles.

24 Under RIDDOR this means a tram carrying or made available for carrying passengers.

25 Refer to footnote 23.

26 This is any other situation than that for 'carrying passenger' as defined in footnote 24.

27 Under RIDDOR, the running line is defined as any line that is usually utilised for the passage of trams that is not a siding.

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8.7. Collisions and derailments involving non-passenger trams are not reportable if they occur in the following scenarios:

- Where a section of running line undergoing an engineering possession;
- When involving a non-passenger tram on a section of running line where it is already blocked due to a major incident or obstruction;
- A derailment during shunting operations; and / or
- A derailment where a wheel flange has ridden under the railhead and then reseated itself.

8.8. Even if a collision / derailment is not reportable under DO 56 and DO 57, any reportable injury or reportable dangerous occurrence resulting from the collision / derailment should still be reported.

Accidents Involving a Tram (DO 58, DO 59, DO 60, DO 61 and DO 62)

8.9. The following accidents involving a tram must be reported to the ORR:

8.10. Any collision where a tram hits a buffer stop if damage is caused to the tram, including if this occurs in a siding (DO 58).

8.11. A tram that has struck cattle or a horse is reportable, whether damage is caused to the tram or not. In addition, a tram striking any other animal is reportable where damage is caused that requires immediate temporary or permanent repair of the tram<sup>28</sup> (DO 59). This includes damage to the windows of the driver's cab but not if the damage constitutes only the breaking of glass.

8.12. It is reportable if a tram on a running line either strikes or is struck by any object (DO 60) if it might have derailed the tram, or if it causes damage that necessitates immediate or temporary repair<sup>29</sup>, including damage to the windows of the driver's cab but excluding the scenario where the damage constitutes only the breaking of glass. Trams derailed due to striking an object(s) on the tracks are reportable under DO 55 and DO 57.

8.13. A tram striking or being struck by a road vehicle must be reported (DO 61).

8.14. A tram that becomes unintentionally divided is reportable if it is for carrying passengers or a non-passenger tram not fitted with continuous self- applying brakes (DO 62).

Failure of Tram Parts (If Discovered or Occurs On a Running Line) (DO 63)

8.15. It is reportable if any of the following tram parts fail or is discovered on a running line (DO 63):

- An axle;
- A wheel or tyre (include a loose tyre on a wheel);
- A rope or its fastening;
- A winding plant or equipment involved in working an incline; and / or

<sup>28</sup> Examples of 'repair' include straightening, removing or securing damaged parts.

<sup>29</sup> Refer to footnote 28.

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- Any part of the tram that could cause an accident to that or any other tram or cause a personal injury to any person<sup>30</sup>.

#### Fire (DO 64)

8.16. Under the circumstances below, all fires are reportable under RIDDOR (DO 64) under the following circumstances:

- Occurs in or on any part of a passenger tram;
- Occurs in or on any part of a non-passenger tram which was extinguished by the fire-fighting service. If the fire-fighting service is called but then does not take any action on arrival, this does not need to be reported;
- Seriously affects the functioning of any signalling equipment on the tramway;
- Affects the permanent way of the tram or any works of the tramway which necessitate the suspension of services, or the closure of any part of a tramstop or signal box / signalling equipment or other premises, for the following periods:
  - of more than 30 minutes in the case of any part of a tramway below ground; and
  - in any other case, a duration of more than 1 hour; or
- Causes damage which could affect the running of a tramway.

8.17. In relation to tramway below ground, as specified above, this refers to underground systems and includes all premises covered by the Fire Precautions (Sub-surface Railway Stations) (England) Regulations 2009<sup>31</sup> including any premises used as a tramstop where members of the public have access (whether on pavement or otherwise) and where any platform is an enclosed or underground platform. This also includes tunnels.

8.18. A platform is deemed an enclosed platform if both it and the permanent way to which it is adjacent are located solely or principally in a tunnel or solely or principally within or under any building, i.e. above half the length of the platform.

8.19. A platform is defined as an underground platform if the level of the roof or ceiling immediately above the platform and the permanent way to which it is adjacent is beneath the level of the surface of the ground adjacent to any exit from the tramstop which therefore provides a means of escape in the event of a fire at the tramstop.

8.20. Smoke or fume incidents are not reportable unless the smoke necessitates passengers being evacuated from any part of the tram or there was evidence of a fire or fire damage caused. If fire extinguishers are used in these circumstances, they are not to be classed as reportable.

8.21. See also fires and explosions reportable under DO 25 in Section 9 below.

#### Severe Electrical Arching or Fusing (DO 65)

8.22. Severe electrical arcing or fusing is reportable (DO 65) in the following scenarios:

- Occurs in or on any part of any tram equipment; or
- Seriously affects the functioning of signalling.

<sup>30</sup> RIDDOR does not distinguish the magnitude of injury.

<sup>31</sup> <https://www.legislation.gov.uk/uksi/2009/782/contents/made>

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### Level Crossings / At Grade Crossings for Tramways (DO 66, DO 67 and DO 68)

8.23. The following incidents at crossings must be reported:

- Any tram striking a road vehicle (DO 66);
- Any tram running onto a crossing when not authorised to do so (DO 67); or
- The failure of equipment at a crossing which could cause a significant risk of personal injury to users of the road or path crossing the tramway (DO 68).

### The Permanent Way or Other Works (DO 69, DO70, DO 71, DO 72, DO 72 and DO 73)

8.24. The failure of a rail in a running line or of a track rail must be reported (DO 69) if it results in either a complete fracture of the rail through its cross-section; or results in a piece of the rail becoming detached requiring the immediate stoppage of tram operations or requires the introduction of a lower speed restriction immediately.

8.25. If the buckle of a running line requiring the immediate cessation of tram operations or requires a lower speed restriction to be immediately introduced (DO 70), this must be reported.

8.26. If an aircraft or vehicle of any kind either lands on, runs onto or comes to rest across the tramline, or causes damage to the line (DO 71) this must be reported if it either obstructs the tramline or causes any damage to tramway equipment at a crossing.

8.27. Any runaway of an escalator, lift or passenger conveyor must be reported (DO 72).

8.28. The following types of accident must be reported where they are likely to cause an accident to a tram or a significant risk of personal injury to any person (DO 73):

- Failure of a tunnel, bridge, viaduct, culvert, station or other structure<sup>32</sup> or any part of it including the fixed electrical equipment of a tramway system;
- Failure in the signalling system which could cause a significant risk to the safe passage of trams other than a failure of a traffic light controlling the movement of vehicles on a road;
- Slip of a cutting or of an embankment;
- Flooding of the permanent way;
- Striking of a bridge by a vessel or by a road vehicle or its load; or
- Failure of any other portion of the permanent way or works.

8.29. Any failures in the signalling system are reportable where they endanger or have the potential to endanger the safe passage of a tram. This includes failures in the following:

- Design;
- Installation;
- Testing;
- Operation; and / or
- Maintenance of vital engineering equipment.

<sup>32</sup> This does not include the collapse of scaffolding, although this is reportable under DO 18 (refer to Section 9 of this guidance).

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8.30. A failure in the signalling system is potentially dangerous if it was not detected by other parts of the signalling system and its failure had at least one of the following results:

- It caused a signal to display an aspect less restrictive than the proper one;
- Prevented a signal from displaying a more restrictive aspect; or
- Resulted in incorrect operation of the interlocking.

8.31. If there is a failure in the signalling system and the system is protected by means of an automatic tram stop system which, in the event of a failure of the signalling system, brings the tram safely to rest, an event under these circumstances is not reportable.

8.32. In addition, the failure of a road traffic light failure that may form part of the signalling system for trams is not reportable under RIDDOR. However, reports will need to be made of failures of signalling systems on discrete parts of infrastructure separated from the road which had the potential to endanger the safe passage of trams.

8.33. The above accidents must be reported regardless of what control measures are in place to prevent significant risk.

#### Incidents of Signals Passed Without Authority (DO 74)

8.34. Any tram travelling on a running line or entering a running line from a siding that passes a signal displaying a stop aspect without authority, unless the stop aspect was not displayed in sufficient time for the driver to stop safely at the signal, must be reported (DO 74).



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## 9. General Dangerous Occurrences

- 9.1. The following guidance sets out the legal requirements in Regulation 7<sup>33</sup> of RIDDOR relating to general dangerous occurrences (that apply to all industries) that must be reported under RIDDOR.
- 9.2. The relevant occurrences are listed below and then explained in further detail in this section. The DO paragraph reference number as contained in Part 1 of Schedule 2 has also been included to facilitate reference to the RIDDOR Regulations:
- Lifting equipment (DO 01);
  - Pressure systems (DO 02);
  - Overhead lines (DO 03);
  - Electrical incidents causing explosion or fire (DO 04);
  - Explosives (DO 05, DO 06, DO 07, DO 08 and DO 09);
  - Biological agents (DO 10);
  - Radiation generators and radiography (DO 11);
  - Breathing apparatus (DO 12);
  - Diving operations (DO 13, DO 14, DO 15, DO 16 and DO 17);
  - Collapse of scaffolding (DO 18);
  - Tram collisions (DO 19);
  - Wells (DO 20);
  - Pipelines or pipeline works (DO 21);
  - Structural collapse (DO 23 and DO 24);
  - Explosion or fire (DO 25);
  - Release of flammable liquids and gases (DO 26); and
  - Hazardous escapes of substances (DO 27).

### Lifting Equipment (DO 01)

- 9.3. The collapse, overturning or failure of any load-bearing part of any lifting equipment, other than an accessory for lifting must be reported (DO 01).

### Pressure Systems (DO 02)

- 9.4. The failure of any closed vessel or of any associated pipework (other than a pipeline) forming part of a pressure system as defined by Regulation 2(1) of the Pressure Systems Safety Regulations 2000<sup>34</sup>, where that failure could cause the death of any person must be reported (DO 02).
- 9.5. In defining 'could cause the death of any person' in relation to failure of a pressure system, this would include the following scenarios:
- Scalds / burns arising from contact with steam, hot water or other hot liquids, liquors, products / substances and immersion / splashing with chemicals;

33 RIDDOR Regulation 7: <https://www.legislation.gov.uk/ukxi/2013/1471/regulation/7/made>

34 <https://www.legislation.gov.uk/ukxi/2000/128/contents/made>

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- Being struck by, or could potentially have been struck by a projectile emitted from the failure of a closed vessel under pressure; and
- An explosion arising from the destruction of structures close to the vessel, for example, falling debris (masonry or window glass etc.) which are affected by the release of stored energy arising from the failure of the vessel.

#### Overhead Lines (DO 03)

- 9.6. A report to the ORR in relation to overhead electric lines must be made in respect of any plant or equipment that unintentionally comes into contact with an overhead electric line that has no insulation with a voltage exceeding 200 volts or comes into close proximity with such an electric line such that it causes an electrical discharge (DO 03). This includes the following examples:
- Accidental contact of a mobile crane or a vehicle with an overhead line;
  - Accidental contact with an overhead line by something being carried or lifted; and
  - The collapse of something (for example, an engineering structure, a building, a tree during felling operations) across an overhead line.

#### Electrical Incidents Causing Explosion or Fire (DO 04)

- 9.7. Any explosion or fire caused by an electrical short circuit or overload (including those resulting from accidental damage to the electrical plant) must be reported under RIDDOR (DO 04) which results in the stoppage of the plant involved for more than 24 hours or causes a significant risk of death.

#### Explosives<sup>35</sup> (DO 05, DO 06, DO 07, DO 08 and DO 09)

- 9.8. The following fire, explosion or ignition must be reported (DO 05) (excluding where a fail-safe device or safe system of work prevented any person being endangered as a result of it):
- Any unintentional fire, explosion or ignition at a site where the manufacture / storage of explosives requires a licence / registration under Regulations 9, 10 or 11 of the Manufacture and Storage of Explosives Regulations 2005<sup>36</sup>; or
  - Any unintentional explosion or ignition of explosives (unless caused by the unintentional discharge of a weapon, where, apart from that unintentional discharge, the weapon and explosives functioned as they were designed to).
- 9.9. The misfire of explosives (other than at a mine or quarry, inside a well or involving a weapon) is reportable except where a fail-safe device or safe system of work prevented any person being endangered as a result of the misfire (DO 06).
- 9.10. Any explosion, discharge or intentional fire or ignition which causes any injury to a person requiring first-aid or medical treatment is reportable, other than at a mine or quarry (DO 07).

<sup>35</sup> This includes railway detonators.

<sup>36</sup> <https://www.legislation.gov.uk/uksi/2005/1082/contents/made>

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9.11. The projection of material beyond the boundary of the site on which the explosives are being used, or beyond the danger zone<sup>37</sup> of the site, which caused or might have caused injury is reportable, except at a quarry (DO 08).

9.12. The failure of shots to cause the intended extent of collapse or direction of fall of a structure in any demolition operation is reportable under RIDDOR (DO 09).

9.13. See also explosions reportable under DO 25 below.

#### Biological Agents (DO 10)

9.14. Any accident or incident which results or could have resulted from the release or escape of a biological agent<sup>38</sup> that is likely to cause severe human infection or illness must be reported (DO 10).

9.15. Biological agents are covered by the Control of Substances Hazardous to Health Regulations 2002<sup>39</sup>. The HSE provides further information on biological agents and the Approved List of biological agents on their website<sup>40</sup>.

#### Radiation Generators and Radiography (DO 11)

9.16. The malfunction of the following radiation generators, equipment or radiography equipment must be reported (DO 11):

- A radiation generator<sup>41</sup> or its ancillary equipment used in fixed or mobile industrial radiography, the irradiation of food or the processing of products by irradiation, which causes it to fail to de-energise at the end of the intended exposure period; or
- Equipment used in fixed or mobile industrial radiography or gamma irradiation, which causes A radioactive source to fail to return to its safe position by the normal means at the end of the intended exposure period

#### Breathing Apparatus (DO 12)

9.17. A malfunction of breathing apparatus must be reported (DO 12) where the malfunction causes a significant risk of personal injury to the user or during testing immediately prior to use, where the malfunction would have caused a significant risk to the health and safety of the user had it occurred during use.

#### Diving Operations (DO 13, DO 14, DO 15, DO 16 and DO 17)

9.18. The failure, damaging or endangering of the following diving equipment must be reported if it causes a significant risk of personal injury to a diver (DO 13). This includes

<sup>37</sup> The area from which persons have been excluded or forbidden to enter to avoid being endangered by any explosion or ignition of explosives.

<sup>38</sup> A micro-organism, cell culture, or human endoparasite, whether or not genetically modified, which may cause infection, allergy, toxicity or otherwise create a hazard to human health.

<sup>39</sup> <https://www.legislation.gov.uk/ukxi/2002/2677/made>

<sup>40</sup> <https://www.hse.gov.uk/biosafety/infection.htm>

<sup>41</sup> Any electrical equipment emitting ionising radiation and containing components operating at a potential difference of more than 5kV.

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any life support equipment, including control panels, hoses and breathing apparatus; or the dive platform, or any failure of the dive platform to remain on station.

9.19. The following diving accidents must be reported in any situation:

- The failure or endangering of any lifting equipment associated with a diving operation (DO 14);
- The trapping of a diver (DO 15);
- Any explosion in the vicinity of a diver (DO 16); or
- Any uncontrolled ascent or any omitted decompression which causes a significant risk of personal injury to a diver (DO 17).

#### Collapse of Scaffolding (DO 18)

9.20. The complete or partial collapse of any scaffolding, including falling, buckling or overturning must be reported in the following cases (DO 18):

- A substantial part of any scaffold that is over 5 metres in height. The height measurement refers to the height of the scaffolding from its base not necessarily the distance between the top of the scaffold and the ground;
- Any supporting part of any slung or suspended scaffold which causes a working platform to fall (whether or not in use) including outriggers, roof rigs or suspension ropes or winches; or
- Any part of any scaffold in circumstances such that there would be a significant risk of drowning to a person falling from the scaffold.

#### Tram Collisions (DO 19)

9.21. The collision of a tram<sup>42</sup> with any other tram, train or vehicle, which could have caused the death, or specified injury, of any person must be reported (DO 19). This does not include a collision reportable under DOs 56 and 57 as detailed above in Sections 8.4 - 8.8.

#### Wells (DO 20)

9.22. The following must be reported with regard to a well (other than a well sunk for the purpose of the abstraction of water) (DO 20):

- A blow-out (which includes any uncontrolled flow of well-fluids from a well);
- The coming into operation of a blow-out prevention or diversion system to control flow of well-fluids where normal control procedures fail;
- The detection of hydrogen sulphide at a well or in samples of well-fluids where the responsible person did not anticipate its presence in the reservoir drawn on by the well;
- The taking of precautionary measures additional to any contained in the original drilling programme where a planned minimum separation distance between adjacent wells was not maintained; or
- The mechanical failure of any part of a well whose purpose is to prevent or limit the effect of the unintentional release of fluids from a well or a reservoir being drawn on by a well, or whose failure would cause or contribute to such a release.

<sup>42</sup> Includes a tram vehicle or other power unit.

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#### Pipelines or Pipeline Works (DO 21)

9.23. If any of the following incidents relating to a pipeline or pipeline works occur that could cause personal injury to any person, or if they result in the pipeline being shut down for more than 24 hours, they must be reported (DO 21):

- Any damage to a pipeline whether an accidental or uncontrolled release from or inrush of anything into a pipeline;
- The failure of any pipeline isolation device, associated equipment or system; or
- The failure of equipment involved with pipeline works.

9.24. It must also be reported if there is an unintentional change in position of a pipeline, or in the subsoil or seabed in the vicinity, which requires immediate attention to safeguard the pipeline's integrity or safety (DO 22).

#### Structural Collapse (DO 23 and DO 24)

9.25. The following unintentional or partial collapse of structures are reportable if they arise from, or in connection with, on-going construction work which includes demolition, refurbishment and maintenance, whether above or below ground (DO 23):

- Any structure, which involves a fall of more than 5 tonnes of material; or
- Any floor or wall of any place of work.

9.26. The unintentional collapse or partial collapse of any falsework must also be reported (DO 24).

#### Explosion or Fire (DO 25)

9.27. If there is any unintentional explosion or fire in any plant or premises which results in the stoppage of that plant, or the suspension of normal work in those premises, for more than 24 hours this is reportable (DO 25). See also DO 64 in Section 8 above.

#### Release of Flammable Liquids and Gases (DO 26)

9.28. The following circumstances relating to the release of flammable liquids and gases are reportable (DO 26):

- A sudden, unintentional and controlled release inside a building of the following:
  - 100 kilograms or more of a flammable liquid;
  - 10 kilograms or more of a liquid at a temperature above its normal boiling point;
  - 10 kilograms or more of a flammable gas; or
- A sudden, unintentional and controlled release in the open air of 500 kilograms or more of a flammable liquid or gas.

#### Hazardous Escapes of Substances (DO 27)

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9.29. It is reportable if there is an unintentional release or escape of any substance which could cause personal injury to any person other than through the combustion of flammable liquids or gases (DO 27).

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## 10. Occupational Diseases

10.1. The following guidance sets out the legal requirements in Regulation 8<sup>43</sup> and Regulation 9<sup>44</sup> of RIDDOR relating to diagnosed<sup>45</sup> occupational diseases.

### Regulation 8

10.2. Under Regulation 8 of RIDDOR, the following diseases or conditions must be reported if a diagnosis is received in relation to a person at work. Further explanation is provided in the subsequent paragraphs:

- Carpal Tunnel Syndrome;
- Cramp in the hand or forearm;
- Occupational dermatitis;
- Hand-Arm Vibration Syndrome (HAVS);
- Occupational asthma; and
- Tendonitis or Tenosynovitis in the hand or forearm.

10.3. As stated in 5.3 above, post-traumatic stress disorder is not defined as an accident as it is not a physical injury but a recognised medical condition and also defined as a disease. As such, it is not listed as an occupational disease under RIDDOR.

#### Carpal Tunnel Syndrome

10.4. It must be reported where the person's work involves regular use of percussive or vibrating tools results in Carpal Tunnel Syndrome. Further information on Carpal Tunnel Syndrome can be found on the musculoskeletal disorders pages of HSE's website<sup>46</sup>.

#### Cramp in the Hand or Forearm

10.5. Where the results of work involving prolonged periods of repetitive movement of the fingers, hand or arm results in cramp in the hand or forearm, this must be reported if it is a chronic condition linked to repetitive work movements. This is usually characterised by the inability to carry out a sequence of what were previously well co-ordinated movements.

10.6. An acute incident of cramp which may occur in the course of work is not reportable.

#### Occupational Dermatitis

10.7. It is reportable in the incidence of occupational dermatitis where the person's work involves significant or regular exposure to a known skin sensitizer or irritant.

10.8. If there is good evidence that the condition has been caused solely by such exposure rather than by exposure to an agent at work it does not need to be reported.

43 RIDDOR Regulation 8: <https://www.legislation.gov.uk/ukxi/2013/1471/regulation/8/made>

44 RIDDOR Regulation 9: <https://www.legislation.gov.uk/ukxi/2013/1471/regulation/9/made>

45 A registered medical practitioner's identification of new or worsened symptoms and obtained in writing where it relates to an employee.

46 <https://www.hse.gov.uk/msd/index.htm>

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10.9. Further guidance and a list of examples of skin sensitizers or irritants is provided by HSE's Medical Aspects of Occupational Skin Disease guidance<sup>47</sup>.

#### Hand-Arm Vibration Syndrome (HAVS)

10.10. Incidences of HAVS from where work involves regular use of percussive or vibrating tools, or the holding of materials which are subject to percussive processes, or processes causing vibration must be reported.

10.11. HAVS is a collective term where workers whose hands are regularly exposed to high vibration may suffer from several kinds of injury to the hands and arm including impaired blood circulation and damage to the nerves and muscles<sup>48</sup>. The severity of the vascular and neurological effects is indicated using an agreed the Stockholm Workshop Scales classification system. Further guidance is available from HSE's publication Hand-arm vibration<sup>49</sup>

#### Occupational Asthmas

10.12. Occupational asthma is where the person's work involves significant or regular exposure to a known respiratory sensitizer. As asthma is commonplace in the general population it is not reportable under the following evidence:

- It was pre-existing; and / or
- Has been caused solely by exposure to agents outside work; and / or
- Was neither exacerbated nor triggered by exposure at work.

10.13. The asthma pages of HSE's website provide further guidance and examples of agents reported to have caused occupational asthma<sup>50</sup>.

#### Tendonitis or Tenosynovitis in the Hand or Forearm.

10.14. It must reported in the incidence of tendonitis or tenosynovitis in the hand or forearm, where the person's work is physically demanding and involves frequent, repetitive movements.

### **Regulation 9**

10.15. Under Regulation 9 of RIDDOR, the following must be reported if a diagnosis is received in relation to a person at work:

- Any cancer attributed to an occupational exposure to a known human carcinogen or mutagen (including ionising radiation); or
- Any disease attributed to an occupational exposure to a biological agent (refer to 9.14 and 9.15 above).

10.16. A Carcinogen is a substance or a preparation which if it was classified in line with Regulation 4 of the Chemicals (Hazard Information and Packaging for Supply) Regulations

47 <https://www.hse.gov.uk/pubns/books/ms24.htm>

48 Other names include vibration white finger, dead finger, dead hand and white finger.

49 <https://www.hse.gov.uk/pubns/books/l140.htm>

50 <https://www.hse.gov.uk/asthma/about.htm>



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2002<sup>51</sup> would be in the Category 1 or 2 (danger or carcinogenic) whether or not the substance or preparation would be required to be classified under these Regulations.

10.17. Carcinogen also refers to a substance or preparation that is listed in Appendix 2, or is arising from a process specified in Appendix 2 which is a substance hazardous to health.

10.18. Mutagen is a substance or preparation which, if it was classified in line with Regulation 4 of the Chemicals (Hazard Information and Packaging for Supply) Regulations 2002, would be in the Category 1 or 2 (danger or carcinogenic) whether or not the substance or preparation would be required to be classified under these Regulations.

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<sup>51</sup> <https://www.legislation.gov.uk/uksi/2002/1689/contents/made>

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## APPENDIX 1

### SERIOUS INCIDENTS REQUIRING NOTIFICATION BY TELEPHONE

Serious incidents requiring notification by telephone	
1	Any accident (derailment, collision, fire etc.) to a tram where fatalities or serious injuries occur to passengers, Light Rail employees, or members of the public.
2	Any serious accident to a tram Light rail vehicle (for example, high speed derailment or head-on collision) even if there are no casualties.
3	Any accident involving the release or combustion of dangerous goods from a tram or Light Rail vehicle which necessitates the evacuation of Light Rail personnel or the general public from the area affected.
4	Any dangerous occurrence (refer to Section 9) involving a freight train carrying radioactive materials.
5	Any collision between a tram and a road vehicle whether or not there have been any injuries.
6	Any pedestrian fatality along the Light Rail system.
7	Any fatal accident or serious injury (life threatening) to a Light Rail employee on duty.
8	Any incident in which a passenger or their clothing or baggage is caught in the doors of a departing tram or Light Rail vehicle in a manner likely to kill or injure that person.
9	Any child (age under 18 years) trespasser fatally or seriously injured on the Light Rail system.
10	Any fatality or life threatening injury to a passenger.
11	The overturning or collapse of any crane, collapse of a high scaffold, collapse of a bridge or tunnel, failure of a structure which occurs on, or blocks, a Light Rail system.
12	Any incident of a runaway involving a tram or Light Rail vehicle.
13	Any incident which results or could have resulted in the release of a biological agent likely to cause severe human infection or illness (for example Legionella).
14	Any reportable injury or dangerous occurrence not mentioned above which receives or is likely to receive media attention

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## APPENDIX 2

### SUBSTANCES AND PROCESSES RELATING TO THE DEFINITION OF CARCINOGEN

List of Carcinogens in Schedule 1 of the Control of Substances Hazardous to Health Regulations 2002 (as amended)	
Aflatoxins	The following polychlorodibenzodioxins: • 2,3,7,8-TCDD; • 1,2,3,7,8-PeCDD; • 1,2,3,4,7,8-HxCDD; • 1,2,3,6,7,8-HxCDD; • 1,2,3,7,8,9-HxCDD; • 1,2,3,4,6,7,8-HpCDD; • OCDD.
Arsenic	
Auramine manufacture	
Calcining, sintering or smelting of nickel copper matte or acid leaching or electrorefining of roasted matte	
Coal soots, coal tar, pitch and coal tar fumes	The following polychlorodibenzofurans: • 2,3,7,8-TCDF • 2,3,4,7,8-PeCDF • 1,2,3,7,8-PeCDF • 1,2,3,4,7,8-HxCDF • 1,2,3,7,8,9-HxCDF • 1,2,3,6,7,8-HxCDF • 2,3,4,6,7,8-HxCDF • 1,2,3,4,6,7,8-HpCDF • 1,2,3,4,7,8,9-HpCDF • OCDF Where T=tetra, P=penta, Hx=hexa, Hp=hepta, and O=octa.
Hardwood dusts	
Leather dust in boot and shoe manufacture, arising during preparation and finishing	
Magenta manufacture	
Mustard gas (β, β' -dichlorodiethyl sulphide)	
Rubber manufacturing and processing giving rise to rubber process dust and rubber fume	
Used engine oils	