

INTERIM ADVICE NOTE 128/15/C
Highways England Supply Chain
Health & Safety Incident Reporting

Summary

This Interim Advice Note IAN 128/15C is relevant to all Highways England asset delivery teams and all service providers including contractors and service providers working for Facilities Management, Operations and Major Projects, and working on the Highways England (including the DBFO) road network. It includes clarification to the definition of Failure of Infrastructure Assets (FOIA) and reporting arrangements for FOIA. IAN 128/15/A and IAN128/15/B are now superseded and withdrawn. Chief Highway Engineer's Memos CHE 362/15 *"Highways England Supply Chain Health and Safety Incident Reporting"*, CHE 373/16 *"Highways England Supply Chain Health and Safety Incident Reporting, IAN 128/15/A"*, CHE 415/18 *"Incident Reporting Standard"*, CHE 425/18 *"Highways England Supply Chain Health and Safety Incident Reporting, IAN 128/15/B"* have been incorporated into this IAN 128/15/C and are therefore also withdrawn.

Instructions for Use

This Interim Advice Note provides guidance and information and is for immediate use.

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1 Introduction

This Interim Advice Note (IAN) 128/15/C shall be applied to all service providers including contractors working for Operations, Major Projects and Facilities Management, where personnel are on site (e.g. during survey, site investigation and construction works) and during all activities for Operations Asset Support Contracts (ASC), Asset Delivery contracts (AD), DBFO Contractors, Operations Regional Technology Teams and their Maintenance Service Providers (TechMAC / RTMC/ NRTS)

IAN 128/15/A and IAN 128/15/B have been superseded and withdrawn.

IAN 128/15/C provides updated guidance and is effective from October 2018. It sets out the requirements for use of Highways England's Accident and Incident Reporting System (AIRSweb), reinforces the definition of Failure of Infrastructure Assets (FOIAs), and the requirement for reporting FOIA events, Asset Incidents and High Potential Near Misses to relevant Highways England Safety, Engineering and Standards (SES) Asset Specialists where appropriate, as shown in Annexes B and C.

Timescales for reporting incidents and submitting investigation reports from recent Chief Highway Engineer memos (CHE 362/15, CHE 373/16, CHE 415/18 and CHE 425/18) are incorporated into this IAN 128/15/C). Therefore these CHE memos are also withdrawn.

This IAN relates to all incidents regardless of whether they are subject to legal privilege, to ensure that Highways England can fulfil its Client duties and identify and share lessons learned across the supply-chain to improve safety.

2 Purpose

IAN 128 mandates requirements for the timely and consistent reporting of Highways England and service provider health, safety and wellbeing accidents and injuries, in addition to asset events (including failures, collapses, incidents, high potential near misses) and asset concerns, investigation findings, and hours worked, so that reliable safety data is collected, analysed and made available for use by Highways England and the supply chain in the management of risk, to reduce risks to As Low As Reasonably Practicable.

IAN 128/15/C is being issued to ensure the timely reporting and notification of incidents, asset events and asset concerns on AIRSweb, including Failure of Infrastructure Asset (FOIA) events. Reporting of asset failures is critical to fulfilling Highways England's commitments to improve safety under its License Agreement.

3 Application and Reporting Requirements

3a. What to Report

The following category of incidents and information shall be reported on AIRSweb:

Incident categories – see Annex A for definitions

- RIDDOR (Reporting Injuries, Diseases and Dangerous Occurrences Regulations) statutory reportable incidents
- One day and over Lost time injuries (LTIs) and all minor injuries
- Failure of Infrastructure Asset (FOIA) incidents
- High potential near misses (HPNM)
- Structural concerns (defined fully in Structural Safety Reporting policy and guidance).

Additional information required:

- The average number of employees on site each working day / 24 hour period
- The total hours worked (average number employed during the calendar month multiplied by the average number of hours worked on site per month by a typical full-time employee). See the note below.

Note:

- Supervisory staff (project managers etc) for ASC/TechMac works would be included
- Other Staff based in the depots would be included where their role involves working on the network – e.g. inspectors within the ASC
- For Operations contracts Highways England requires the number of employees and hours worked on the whole of the contract including any office based staff to be provided by working day 1 of each month. It should be noted that Highways England expects any incidents or high potential near misses meeting the relevant criteria involving office based staff, to be recorded on AIRSweb against the Area contract
- For Major Projects Highways England requires the number of employees and hours worked on the whole of that project including office based staff to be provided by working day 1. Any incidents or high potential near misses meeting the criteria involving office based staff shall also be recorded on AIRSweb against the Project contract.

3b. When to Report

- Reportable incidents under RIDDOR, LTI's and HPMN's shall be reported to the Health and Safety Business Partner for the programme or region within 2 hours of the incident occurring by email and telephone
- FOIA's to be reported to the Asset Specialist within 2 hours of the incident occurring
- All incidents shall be recorded on AIRSweb within 24hrs of the incident occurring
- An initial investigation report shall be provided within 3 working days of the incident occurring providing as much detail as is known at the time including the likely severity of the incident and initial causation along with a safety alert where applicable; where the notification of an event may prevent the incident being repeated elsewhere
- Where an LTI becomes a >7 day RIDDOR then the incident shall be updated on AIRSweb within 24hrs of this occurring
- A full investigation report, action plan and safety alert (where applicable) shall be provided and uploaded to AIRSweb within 10 working days of the incident occurring
 - Where 10 days would provide insufficient time for a thorough investigation to be completed, then an extension can be agreed with the Highways England Health and Safety Business Partner at a programme or regional level. Albeit an updated initial investigation report shall be issued within 3 days and updated within 10 days
- The average number of employees, and total hours worked shall be reported on AIRSweb by working day 1 each month.

4. Requirements for Highways England Employees

**Major Projects Directorate Project Manager (PM) & Operations Service Manager (SM)
Functions Facilities Management Contract Managers (CM), – see also Annex B**

- Review new AIRSweb user requests and once satisfied send an approval e-mail to the AIRSweb inbox, see 5a 'Accessing AIRSweb and User Guidance'

- Manage the escalation of incidents by applying the requirements of the Highways England Crisis Management Manual for fatalities and multi-person major injury incidents, including:
 - Be the first point of contact for a Contractor to report death or serious injury
 - Notify the Divisional Director and Health and Safety Business Partner that a death or major injury has occurred
 - Provide a weekly update on the investigation status to your line management
 - Consult with the Health and Safety Business Partner, the SES asset specialist and other stakeholders as applicable
- Monitor and manage the Contractor to ensure that the AIRSweb process is followed, particularly the timely recording and updating of incidents, investigation progress and the issue of safety alerts
- Check accuracy of data, especially hours worked
- Review investigation reports for proportionality, quality and causation clarity
- Ensure remedial actions are completed
- Obtain assurances from the Contractor that any changes identified as a result of the investigations were implemented, and that they were effective.

Highways England Divisional Director Functions

- Liaise with their CM/PM/SM, Health and Safety Business Partner and SES asset specialist regarding the incident and possible outcome.
- Monitor and influence the incident process and investigation progress, providing timely updates to senior management, your Health and Safety Business Partner and the SES asset specialist

Health and Safety division

- Support the CM/PM/SM and Divisional Directors, as is appropriate
- Publish and distribute safety alerts.

5 Steps to using AIRSweb

5a. Accessing AIRSweb and User Guidance

Contractors requiring access to AIRSweb shall e-mail the request to the relevant Highways England Contracts Manager for Facilities Management, Project Manager for Major Project schemes, discrete contracts and framework tasks and the relevant Operations Service Manager for Service Provider contracts with the following details:

- Name
- Address

- Contact telephone no.
- E-mail address
- Project or contract name on which the Contractor is engaged

The Highways England Contract Manager/Project Manager/Service Managers will then review the new user request and once satisfied the details are correct, send an approval e-mail to the AIRSweb inbox, via airs@highwaysengland.co.uk

AIRSweb can be accessed via the internet using the following link:

<https://highwaysengland.airswb.net>

An AIRSweb User Guide is available for download on the AIRSweb system. Further guidance and advice and requesting of training can be obtained by contacting the administrator on the airs e-mail address provided above.

5b. Recording Incidents on AIRSweb

Incidents shall be recorded within 24 hours and updated as per Section 3b and as new incident details, progress of the investigation and investigation findings become available. All sections of AIRSweb shall be completed as and when relevant information becomes available.

The Project / Service / Contract Manager and Contractors shall record the incident details and causes as understood at the time of the incident. Use the "Save Draft" to record the initial details and subsequent edits to AIRSweb, this leaves the incident record in an editable state for future updates

All data submitted shall comply with GDPR requirements

Failure of Asset Incidents (FOIA) asset events and concerns

In addition to recording the asset event (e.g. an FOIA event) or asset concern in AIRSweb, the person reporting the asset event or asset concern shall inform the relevant Highways England Safety, Engineering and Standards (SES) Asset Specialist of the failure of the asset, using the reporting email address FOIA_Incident@highwaysengland.co.uk

The FOIA is not considered reported unless it is recorded in AIRSWEB and is notified to the relevant SES Asset Specialist.

The process for notifying the SES specialist for incidents occurring out of hours is described in the NILO process

When formal investigations have been concluded, the AIRSweb record should be checked by the Project / Service / Contract Manager, Contractor and Health and Safety Business Partner for accuracy and completeness and updated for the final time. At that point the record should be closed by clicking the investigation sign-off flag "Save Final". If you click the

button at this point, the status will change from a draft record to a submitted one and will no longer be editable by the user.

Note: If records have been submitted prematurely, the AIRSweb Administrator has the ability to re-set the record to a draft state and allow the contractor to resubmit the details.

5c. Investigating Incidents

Incident Investigations

All Contractors working for Highways England shall ensure that the primary purpose of any health and safety incident investigation is to identify, learn and share lessons.

All incidents will be allocated a severity rating by the Contractor to determine the appropriate level of investigation required. Each incident should be assessed and investigated in proportion to the nature and severity of the incident.

Reportable incidents under RIDDOR, LTI's and HPMN's shall be reported (telephone and email) to the Major Projects Directorate Project Manager (PM) or Operations Service Manager (SM) or Facilities Management Contracts Manager, and to the Health and Safety Business Partner within 2 hours of the incident occurring.

When there is a network infrastructure asset failure, a decision will then be made by the PM, Service Manager, or if appropriate their line management, on how any investigation will proceed. In certain instances Highways England will take the primary investigation role. Relevant SES Asset Specialists must also be consulted during the investigation to provide technical support as required and inform any wider risk management

On completion of the investigation, the final investigation report together with any relevant supporting documentation including the action plan and safety alert shall be recorded and attached to the AIRSweb incident record.

It is essential that the Contractor is proactive in keeping Highways England regularly informed on developments in relation to incident investigations and follow-on activities. This shall be achieved by regularly updating the investigation progress details against the incident within AIRSweb, and by keeping Highways England informed of the status of the investigation.

Highways England requires all incident investigations to establish the root cause and underlying causes of the incident and upon identifying appropriate corrective and preventive actions and time scales. Further guidance can be found in the Health and Safety Executive's 'Investigating accidents and incidents' guidance document (HSG245).

Please contact your Regional or Programme H&S Business Partner contact for advice if you are unclear or require further information.

5d. Sharing Lessons Learned

It is vital that lessons learned from incidents are communicated effectively by Contractors both within their own workforce and to Highways England.

Details of lessons identified, where appropriate via a safety alert, shall be provided to Highways England as soon as final causation and advice for potential avoidance has been fully determined. The Highways England Health and Safety Division will e-mail "Safety Alerts" to key stakeholders. Safety Alerts will be followed up with a Chief Highway Engineer Memorandum where specific instruction is required.

It is the responsibility of Tier 1 Contractors to disseminate lessons learnt to the rest of their supply-chain (Tiers 2 and 3 etc).

5e. Closing Out Actions

Service providers and Contractors shall report to their Highways England Contract Manager, Project Manager or Service Manager to confirm that they have implemented corrective actions arising from investigations. This shall include assessments of the effectiveness of the actions and whether further risk mitigation is desirable.

For FOIA, the Service provider shall report to their Highways England Asset Development Manager, or Contract Manager, Project Manager or Service Manager, to confirm that they have:

- consulted the SES asset specialist and had a regular collaboration with the SES asset specialist as appropriate.
- implemented the mitigating actions resulting from investigations following the event or concern, to ensure safety risks to affected populations are minimised to "As Low As Reasonably Practicable".

This report by the Asset Delivery Team or service provider shall include an assessment of the effectiveness of the mitigating actions which have been implemented and a recommendation as to whether further risk mitigation actions should be implemented and a recommended timetable for implementation of such further mitigating actions

6 Key Contact

The AIRSweb Administrator is:

Email: airs@highwaysengland.co.uk

For and on behalf of Highways England

David Townsend

Head of Policy and Compliance

Health and Safety Team – Safety, Engineering and Standards

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Annex A – Definitions: Failure of Infrastructure Asset Incidents (FOIA), High Potential Near Misses (HPNM) or lost time injury (LTI)

If you are uncertain as to whether an incident constitutes a FOIA, HPNM or LTI please contact your Highways England Contracts Manager, Project Manager, Service Manager or H&S Business Partner.

'FOIA' definition:

A 'failure of an infrastructure asset' (FOIA) incident is where an unexpected failure or defect has been identified on the asset which has the potential severity to:

- 1) cause a RIDDOR major injury, or fatality, or significant disruption to the road network, or disruption to staff in a building; or
- 2) provide lessons learned from the incident, which would prevent a similar incident occurring elsewhere; or
- 3) provide significant value to others in the supply-chain.

Note 1: A FOIA incident is where a failure or defect has occurred unexpectedly, which would not normally have been identified through normal maintenance and inspection processes. This means that potholes, signs obscured by vegetation and similar minor defects are not a FOIA incident.

Note 2: A FOIA incident includes, but is not limited to:

- 1) structural collapse; or
- 2) structural failure; or
- 3) a lighting asset falling on to the carriageway due to incorrect fitting of luminaires.

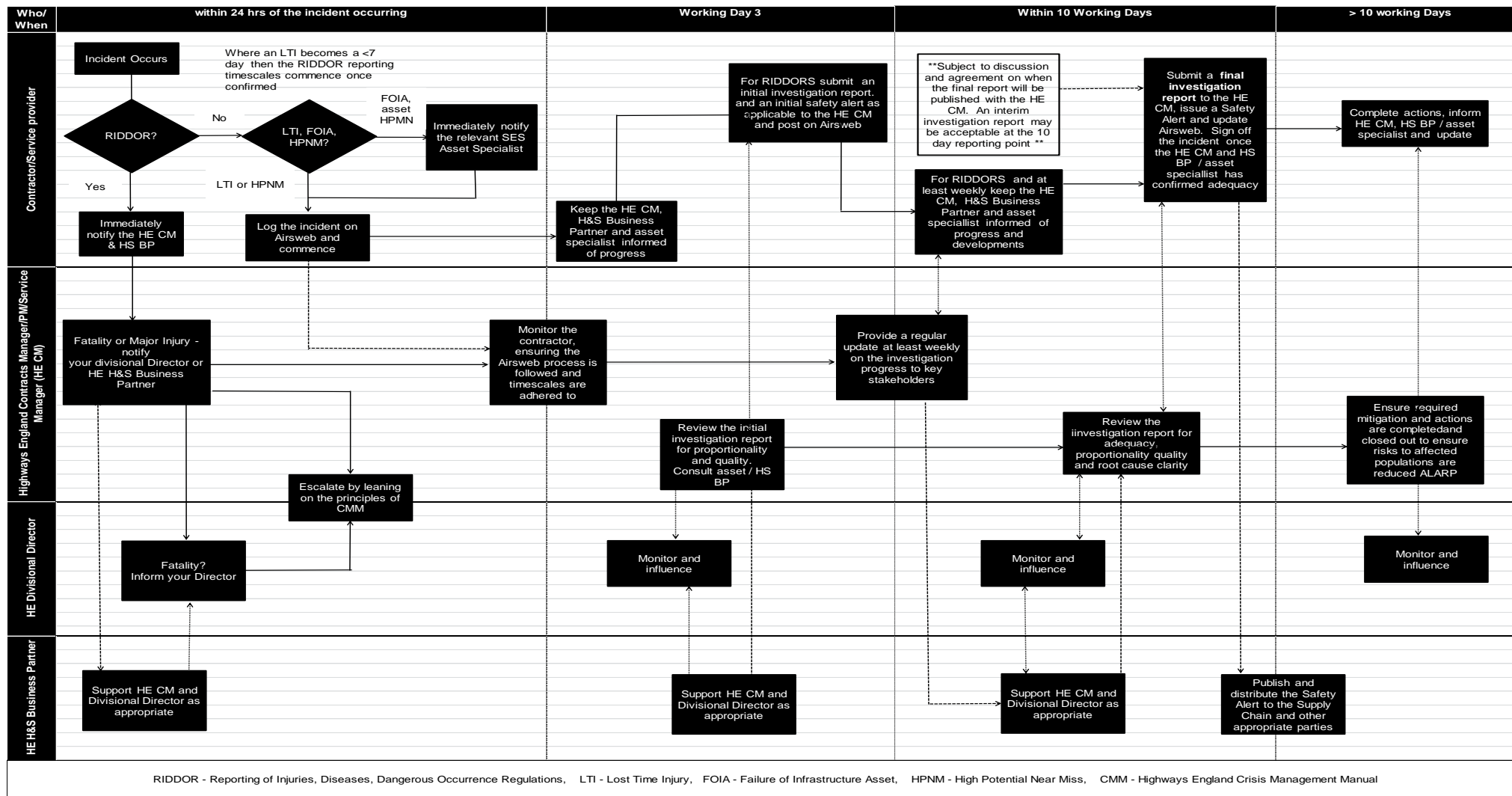
High potential near misses (HPNM) definition:

A high potential near miss is an unplanned, uncontrolled near miss event that had the potential severity to cause a RIDDOR major injury, or fatality, or where the learning from the near miss would provide significant value to others in the supply-chain.

Lost time injuries (LTI) definition:

An LTI is where the injured party is absent from work and or unable to perform their normal work duties, for more than 1 working day or shift as the result of an injury that occurred whilst carrying out their work activity. This 1 day period does not include the day of the accident.

Annex B – Highways England supply chain – Incident reporting flow chart



Annex C – Logging the FOIA Incident

