

## Definitions

**Accident** - An event that results in harm to people, damage to property or equipment, or loss of process or productivity.

**Incident** - An event that, under slightly different circumstances, could have resulted in harm to people, damage to property or equipment, or loss of process or productivity. Examples include a slip and fall that did not result in an injury, or nearly backing into a pedestrian with a motor vehicle. Sometimes an incident is referred to as a “near-miss.”

**Preventable** - It is becoming an accepted belief in safety and risk management that all accidents are preventable. This means that for every accident or incident there is something that could have been done to avoid it.

Incident and accident reports are valuable because:

- They capture complaints, accidents and incidents before they become claims.
- They help establish a defense for claims that may be presented years after an incident/accident.
- They serve as the basis for analyzing the causes of incidents and accidents and for recommending risk improvements to prevent similar events in the future.
- They help identify weaknesses in your current risk management policies and procedures to prevent more serious losses from occurring.

### Key Point

Having accident and incident procedures and forms is an essential part of an effective risk management program.

## Risk Management: Incidents

1. If an incident occurs, attend to those involved to ensure there are no injuries.

2. Complete an incident report (sample below). Incident reports should include at least:

- names and contact information of the reporter and witnesses;
- a detailed description of the incident; and
- recommendations to prevent similar incidents in the future.

3. Contact your insurance representative for advice on whether an incident should be reported to the insurer. Incidents are often reported even if a claim may not come out of them.

4. Keep the report on file:

- Documentation should be kept for as long as necessary to defend against potential claims. The length of time that legal action may be taken by law is called the Statute of Limitations.

### Key Point

Tracking accidents and incidents is an excellent way to identify areas of concern that are in need of risk management solutions.

- If the reporter is an adult, keep the incident documentation on file for at least three to five years **after** the Statute of Limitations passes for that type of claim. Your lawyer should be able to advise how long this is.
  - If the reporter is a minor, keep the incident documentation on file for at least three to five years **after** the Statute of Limitations passes for that type of claim once the minor has reached the age of majority. Your lawyer should be able to advise how long this is.
  - An efficient method of organizing and storing incident reports is in an electronic database where they can be sorted and retrieved based on a number of factors.
5. Review the report to determine the cause of the incident and any loss prevention measures that could be implemented.

## Risk Management: Accidents

1. Attend to any persons involved.
2. If necessary, move yourself and injured persons out of any areas of immediate danger such as fire or traffic.
3. Administer first aid if necessary. Only administer the level of first aid that you are qualified to perform.
4. Do not admit liability or promise to pay for expenses incurred by injured persons.
5. Call or ask a bystander to call 9-1-1 or the emergency number for police, ambulance and/or fire department if necessary. Do not leave the scene of the accident unless it is to call one of those services.
6. Protect any damaged property or evidence from further damage (as long as the protection is at a reasonable cost). As an insured, it is your duty to minimize the damage to the extent possible.
7. Complete an accident report (sample below). The accident report should include at a minimum:
  - names and contact information for the reporter and witnesses;
  - a detailed description of the accident; and
  - a description of injuries and property damage.
8. Promptly notify your insurer of the possible claim. If an employee is injured, claims should be reported to the Workers' Compensation Board.

### Key Point

If an accident involves injuries or potentially involves injuries, report it to your insurance representative.

- Note the name of the person to whom you reported the claim. In the case of a dispute, this may be used to prove that the claim was reported.
9. Keep the report on file.
- Documentation should be kept for as long as necessary to defend against potential claims. The length of time that legal action may be taken by law is called the Statute of Limitations.
  - If the victim is an adult, keep the incident documentation on file for at least three to five years after the Statute of Limitations passes for that type of claim. Your lawyer should be able to advise how long this is.
  - If the victim is a minor, keep the incident documentation on file for at least three to five years after the Statute of Limitations passes for that type of claim once the minor has reached the age of majority. Your lawyer should be able to advise how long this is.
  - An efficient method of organizing and storing incident reports is in an electronic database where they can be sorted and retrieved based on a number of factors.

## Claims Handling

### 1. Reporting Claims

- a. If a claim is, or could become, greater than your deductible, is complex, involves injuries, or if you are in doubt, it is best to have the claim handled by your insurer. Your insurer is an expert at investigating and settling claims.
- b. The following are guidelines for dealing with your insurer:
  - i. If a reported incident/accident will likely result in a claim, submit a copy of the incident/accident report to your insurer.
  - ii. If you receive a Statement of Claim from an injured party explaining the intent to make a claim against your organization, submit it to your insurer.
  - iii. If applicable, the adjuster will provide a Proof of Loss form to be completed to demonstrate that the organization has experienced a loss.
  - iv. Document all monetary costs related to the claim (repair work, hospital bills, lost income, etc.).
  - v. Cooperate and communicate often with your insurer while they are handling your claim.

### 2. Maintain a claims record (sample below)

- a. By keeping detailed records about claims you will be better able to track trends in loss causes, and the costs associated with them.
- b. Keep simple records of premiums paid, additional charges and returned premiums.

## Sample Incident Report

Date of Incident: \_\_\_\_\_ Date Reported: \_\_\_\_\_

Time of Incident: \_\_\_\_\_ Time Reported: \_\_\_\_\_

Specific Location: \_\_\_\_\_

Reporter Name: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_

Position: \_\_\_\_\_ Department: \_\_\_\_\_

Witness Name: \_\_\_\_\_

Witness Phone Number(s): \_\_\_\_\_

Incident Description (Reporter): \_\_\_\_\_

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Incident Description (Witness, if available): \_\_\_\_\_

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Preventable (circle one): Yes No

Suggested Corrective Action: \_\_\_\_\_

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Signature of Reporter: \_\_\_\_\_

Signature of Witness: \_\_\_\_\_

## Sample Accident Report

Date of Accident: \_\_\_\_\_ Date Reported: \_\_\_\_\_

Time of Accident: \_\_\_\_\_ Time Reported: \_\_\_\_\_

Specific Location: \_\_\_\_\_

Reporter Name: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_

Position: \_\_\_\_\_ Department: \_\_\_\_\_

Witness Name: \_\_\_\_\_

Witness Phone Number(s): \_\_\_\_\_

Accident Description (Reporter): \_\_\_\_\_

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Accident Description (Witness, if available): \_\_\_\_\_

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Police/Emergency Crews in Attendance (if applicable): \_\_\_\_\_

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Property Damage (including name and contact information of owner, description and amount): \_\_\_\_\_

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Injury (including name of person, contact information, and injury description):

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Signature of Reporter: \_\_\_\_\_

Signature of Witness: \_\_\_\_\_

