

GUIDING PRINCIPLES:

**SERIOUS ACCIDENT AND
NEAR MISS INCIDENT REVIEWS**



NATIONAL ASSOCIATION OF STATE FORESTERS

INTRODUCTION

This document – "**Guiding Principles: Serious Accident and Near Miss Incident Reviews**" – was developed to assist states and their constituents in determining the needs and level of review necessary for serious accidents or near miss incidents.

This guide is not intended to be "one size fits all." Instead, it details common areas of consideration for state agencies faced with such reviews. Internal administrative policies, state regulations, automatic and mutual aid agreements, etc., should dictate how an accident review is completed and who is involved. This document provides suggested processes that can be applied given individual state authorities, restrictions, and resource limitations.

DEFINITIONS

Informational Summary Report – a brief report, based on information known at the time, which provides an overview of a significant incident, conditions at the scene of the incident, a narrative describing the sequence of events leading up to the incident, a description of injuries and/or damages, a map or diagram of the incident, and any safety issues suggested to be reviewed and/or lessons learned.

Near Miss – an unintentional, unsafe occurrence where a fortunate break in the chain of events prevented a serious injury or fatality.

NFPA – National Fire Protection Association

OSHA – Occupational Safety and Health Administration (federal or state)

Preliminary Summary Report – a brief summary report intended to notify a targeted audience within twenty-four (24) hours of the occurrence of a significant incident and provide factual information available at the time in order to dispel any rumors.

Serious Accident – an incident that results in a fatality or serious injury involving the loss of any body part, significant permanent disfigurement, or in-patient hospitalization for more than twenty-four (24) hours for anything other than simple observation.

Serious Accident Review Report – a very detailed report that outlines the Accident Review Team's process used, an overview of the incident, a detailed sequence of events, identified facts and findings, causal or contributory factors, and supporting documentation such as training records, witness statements, physical evidence, other agency reports, etc.



LEGAL CONSIDERATIONS

Each state and territory should be well-versed in accident review, prevention, and employee noticing procedures required by law or regulation. These requirements may be imposed at the federal or state levels (or both) and involve OSHA regulations, Government Code, Labor Code, Memorandum of Understanding (MOU), NFPA standards, and/or local ordinances and codes.

PRE-EVENT

Every state should consider reviewing their accident response protocols and principles with their cooperators, including but not be limited to: agency and interagency drills, sand table exercises, formal agreement updates, and agency-specific responsibilities, policies, procedures, etc.

Reviewing response protocols before an incident happens will help the agencies involved build and sustain working relationships, be better prepared to respond, mitigate, and review serious accident or near miss incidents, and ultimately prevent similar occurrences in the future. Before an event occurs, state agencies and their cooperators should have already:

- Identified specialized treatment facilities such as Trauma and Burn Centers and determined criteria for transportation of injured personnel to such facilities to prevent unnecessary delay.
- Established a notification procedure to help identify who is contacted and in what order when the unexpected occurs.
- Created a plan for real-time information dissemination to prevent confusion and assist with rumor control. This plan should include a policy and/or procedure for who will address local media outlets, what can be posted on social media and by who, and who can assist in controlling sensitive information and help prevent the unapproved release of incident related information. When it comes to information-sharing, it is best to inform and prepare your employees first. Agencies may consider ordering Critical Incident Stress Debriefing Team(s) to this end.

DURING THE EVENT

When an event occurs, having appropriate protocols, procedures, and policies in place is essential in preserving the safety and well-being of personnel involved. Work your plan and stick to your policies as closely as possible.



POST-EVENT

As soon as deemed possible, the state should identify and notify all the agencies that will be involved in the review. The state will determine and agree to the type of event that occurred (i.e., criminal, administrative, lessons learned, etc.) and the intent of the review. Consider the following in determining a plan of action:

- Determine if the “Lessons Learned” default approach is appropriate based on the assumed intent of the employee(s) involved and the actions within their scope of duty.
- What are the impacts of external regulatory reviews? (i.e., OSHA, NTSB, etc.)
- What are the internal agency policies, rules, etc. that will determine your course of action?
- What agency or cultural practices that must be attended to or observed during your course of action?
- What Subject Matter Experts will be needed for the incident and do you need to address any special needs such as information management, workers compensation, Critical Incident Stress Management, family liaisons, labor unions, firefighter death benefits, etc.?
- Agree to a delegation of authority. This would include a scope of review, final documents, information management, documentation requirements, legal evaluation, etc.
- Determine team composition based on agency jurisdiction, knowledge, experience, etc. Your team composition may include external partners (i.e. labor union representative) or someone who can bring a neutral view of the review process.
- Determine who will provide the financial cost for the review team. Will it be the requesting agency? This may mean reviewing negotiable agreements during the pre-event stage.
- Determine media and communication management. This would include information for the public, for the survivors, for the families, and for your employees.



POST-EVENT REVIEW

The Post Review process is about documentation management and the release of information. The following should be considered:

- The final report should be fact-based. No opinions or blame should be placed on the event that occurred. Consider adding recommendations and if so, whether these recommendations are for the whole (i.e. firefighters) or specific to the task at hand (i.e. sawyers, line officers, etc.)
- Determine a process for report finalization, review, and approval. It is important that the final report is reviewed and agreed upon by all members of the team. It is the team leader who will determine approval of the final report.
- Develop a plan of action as for disseminating the approved final report. This may include family and employee reviews, tv/radio media interviews, press releases, etc.
- The state should commit to address both short- and long-term impacts on its employees involved.
- Ascertain documentation/property custodian and retention requirements.

