



Mission

For this best practice:

Develop industry stakeholder guidance for process of how on-site incident investigations involving government authorities will be conducted.

Develop a user's guide to help industry personnel guide their actions during such an investigation.



Incident Investigation Guidelines

Best Practices committee:

- Co-chair
 - COAA Safety Committee
 - Alberta Employment and Immigration - Workplace Health & Safety
- Core Team:
 - Brian Edwards – IOR Co-Chair
 - Mark Rice – Alberta WHS Co-Chair
 - Eric Reitsma – Alberta WHS
 - Randy Gauthier – Alberta WHS
 - Edith Cook – Syncrude
 - Peter MacEachern – Fluor
 - Kevin Mather – Novacor (Statoil)
 - Mike Rogers – Nexen (Long Lake)
 - Bill Hogan – KBR



Incident Investigation Guidelines

Stakeholders: Stakeholder Benefits

- Industry – Owners & Contractors
 - More efficient ... Employees as individuals and as company officials understand;
 - Process to be used ... roles for each stakeholder
 - Their rights & their obligations within that process
 - What to expect during WHS investigations
 - Less time spent developing / understanding process at time of an investigation
 - Transparency in key information collection – what, why, how
 - More effective ... Able to talk to involved parties, collect information in a timely manner;
 - Improve accuracy of information collected
 - Improve completeness of information collected
 - Process drives improved quality – determining direct and root cause of incident



Incident Investigation Guidelines

Stakeholders: Stakeholder Benefits

- Government – WHS investigators
 - More efficient ... An industry that understands the process to be followed
 - WHS authorities – roles and responsibilities
 - Steps to be taken within the investigation process
 - Clear expectations for potential outcomes of investigation process
 - More effective ... An industry that understands the process to be followed
 - Investigation “process” is understood and is transparent





Incident Investigation Guidelines

Scope:

- Alberta OH&S reportable incident
 - Initial notification to completion of government investigation
- Roles and Responsibilities – Owners, Contractors, Government Officials

Investigation:

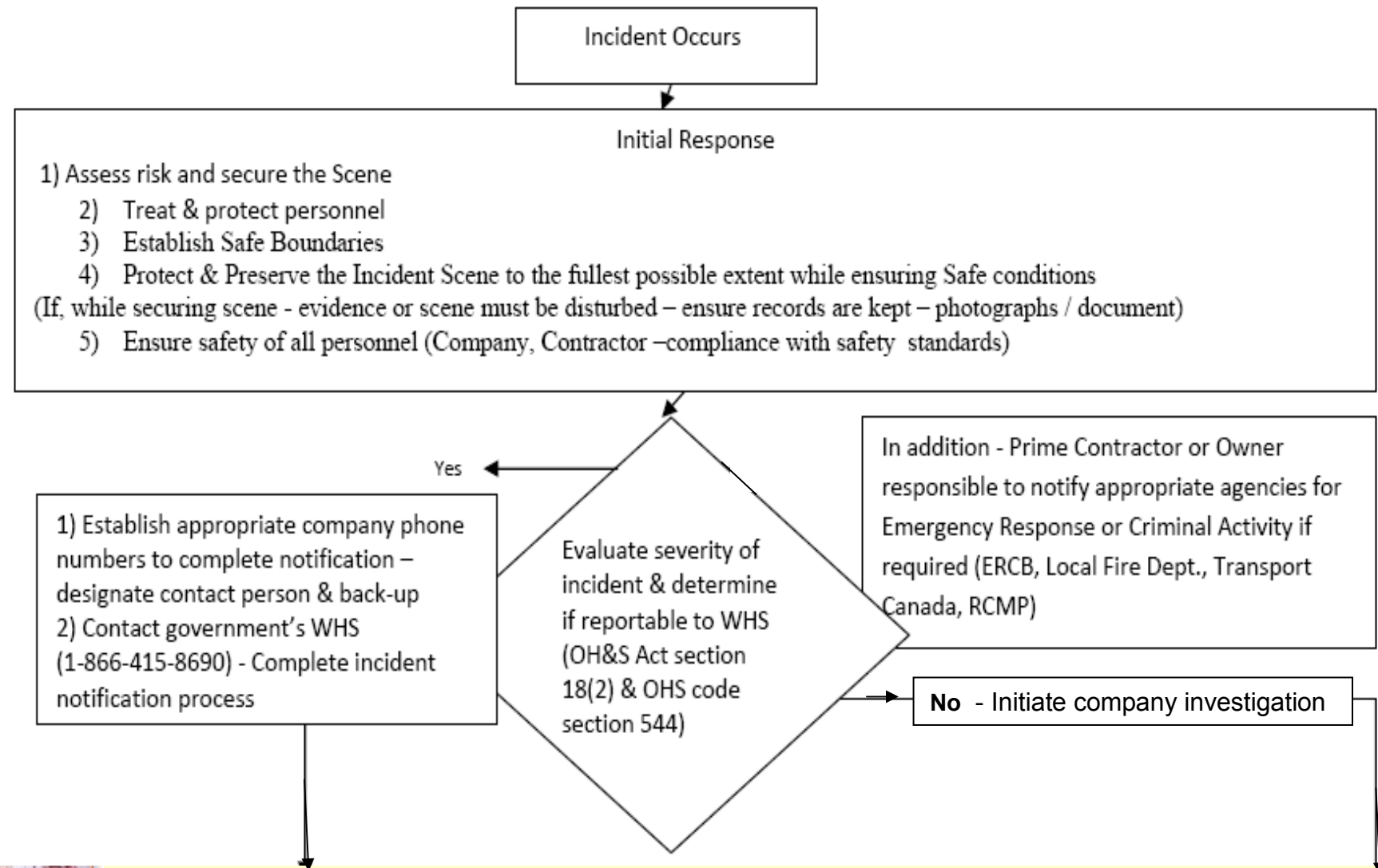
- Incident investigation process
 - Collection of information on site by owner, contractor, government agency
 - 1) Immediately 2) Same day 3) Future days
 - Determining Direct Cause
 - Completion of Investigation Report

Excluded

- Owner / Contractor case management
 - Care for the injured party
 - Elimination of release/emission
 - Owner / Contractor incident classification process
- Owner / Contractor incident investigation process to determine root cause



Incident Investigation Guidelines





Incident Investigation Guidelines

- 1) Determine lead investigating Agency - WHS, RCMP, EUB, DOT etc
- 2) Establish single Company Contact person for overall incident management – Internal and communication with OHS officer
- 3) Contact Company Law Dept (or outside counsel) – determine Law Department involvement

- 1) Confer with WHS Officer before initiating Operations activities

- 1) WHS have control of scene and activities until released to company

Yes

WHS on-site
investigation?
WHS decision

No

Initiate Company Incident investigation process – Note: May occur in parallel with WHS investigation

- 1) Establish Company management personnel for daily review of investigation status
- 2) Review guidelines for WHS incident investigations – Control of scene, access to information and personnel, etc.
- 3) Determine information to be collected/preserved



Incident Investigation Guidelines

Identify Key Personnel/Witness's for Incident Investigation

- Counsel personnel in safe area to avoid cross contamination of evidence.
- Consider the requirements for witness preparation
- Consider the requirements for Critical Stress debriefing.
- Consider having witness' independently document their observations both before and during incident – review with Company management for clarity, completeness
- Consider debrief process for witnesses post interview with WHS officer

Establish timing for WHS Officer to arrive at scene - determine what interim steps should be taken

- Ensure that witness's will be available to interview by WHS Officer

- Work with WHS Officer to gather information, materials, samples, equipment, data etc.
- Ensure safety of all personnel (Company, Contractor, WHS Investigating Officers–compliance with safety standard
- Consider photographing aspects of the Incident Scene
- WHS Officers have full authority for their investigation



Incident Investigation Guidelines

Record & Obtain Receipts for all documentation, material, equipment, etc. requested by WHS

- Ensure there is a company focal point to manage this process
- Do not provide extraneous material that is not directly related to the Incident

WHS Issues Orders where applicable

WHS releases scene and direction of activities to Owner – WHS continues internal review process – 3 possible outcomes;

- WHS can require responsible party's report be made readily available; or
- WHS investigation report issued to all stakeholders; or
- Alberta Justice to lay charges (2 yr less a day) – summons issued to party charged

Complete company internal incident investigation – determine root cause

- Prepare incident investigation report per section 18 of OHS Act – review for completeness and correctness - ensure address time frame and process steps leading up to incident

Establish
Corrective
Actions

- 1) Address causes of incident – may be direct, indirect, root causes
- 2) Address other findings (direct or systemic) from incident investigation process



Incident Investigation Guidelines

Key Messages – Owner / Contractor

1. Understand the legislation - Compliance with OH&S Act;
 - Reporting incidents – Company investigation report made available to OH&S
 - Scope, powers of investigating officer
 - Duties and obligations to comply
2. Secure the scene
 - Control entry - Focus on preservation / documentation of evidence
3. Assign a site contact person to interface with OHS
4. Create a site management team to manage process
5. Ensure care of witnesses
 - Consider need for critical stress debriefing – formal or informal
 - Prepare witnesses
 - Guidance - Complete, Factual, Don't speculate, Understand question etc.
 - Counsel may not be allowed in room - can request to receive advice
 - In general, statements cannot be used against individual
 - Immediately start process of collecting statements
 - Debrief post interview with WHS investigating officer



Incident Investigation Guidelines

Key Messages – Owner / Contractor

6. Understand the process to be followed;
 - Authority under which investigation is occurring
 - Effective preservation of evidence
 - Required to provide a broad range of information
7. Flow information through a defined channel
 - Log all items, information provided – attach receipts to log
8. Required to provide information which may help WHS investigation
 - Use site management team to guide this activity
9. OH&S control the scene until returned to owner
 - Owner is responsible for safety of all parties on-site
10. Start own investigation as soon as possible
 - Can occur in parallel with WHS investigation
 - Consider whether to conduct under solicitor:client privilege – should be decided at start of investigation



Incident Investigation Guidelines

Questions ?

Best Practice - Publish Q4-2009

- Process Flow
- Guidance document
- Tools
- FAQs