

IOSH CPD

Managing the immediate and ongoing fallout of an incident

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**Finch
Consulting**

Engineering Confidence.

General

- **Senior H&S Consultant Finch Consulting Ltd**
- **Finch is an engineering, H&S, training, environmental and expert witness provider.**
- **HSE Inspector for 17 years, last 9 as operational policy lead for parts of the entertainment and leisure policy sector**
- **Author/co-author of HSG 175, HSG 219, other guidance and contributor to legislation reviews.**
- **Experienced accident investigator, prosecutor and crisis manager**

Events dear boy, events..

“She knows herself to be at the mercy of events, and she knows by now that events have no mercy.”

— **Margaret Atwood**

Perspectives and needs

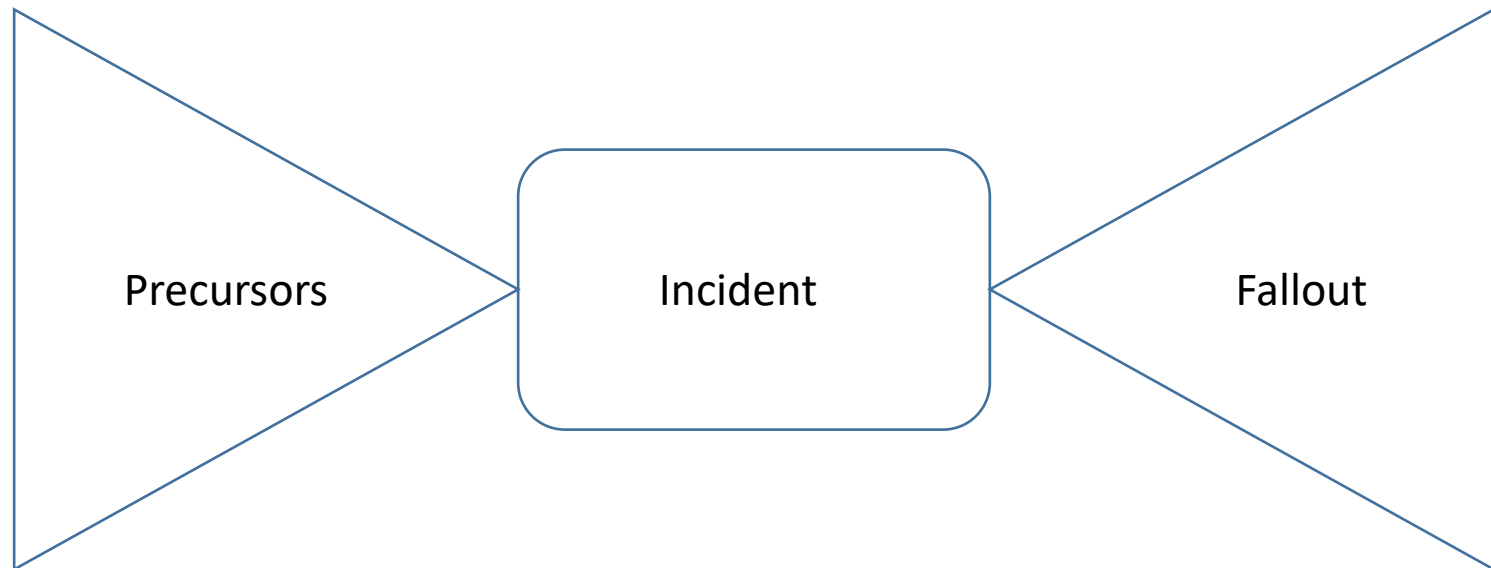
At least 4 I'll talk about

- **Yours**
- **Those involved**
- **Defence lawyer**
- **Regulator**

Eggs to suck

- **No one simply allows accidents to happen**
- **No sensible H&S professional should believe they can eliminate all accidents**
- **Basic principle is to control and manage risk**
- **Same in incident management; may not expect incident but can anticipate what follows**

Bowtie



Top level 'remembers'

- **Legal duties don't disappear post incident**
- **Employees/public will criticise publicly**
- **Media will show no mercy**
- **Courts take all management into account**

Power without control is nothing..



Power without control is nothing

- **Immediately post incident NOTHING is more important than control**
- **PLAN**
- **Stop it getting worse**
- **Single controlling mind**
- **Document decisions**
- **Some things are generic**
- **Don't forget the simple and obvious**

Control

- **People want to ‘do something’ in crisis**
- **Build and regularly use familiar command and control chains**
- **Importance of scene management**
- **Exclude/manage the affected/’helpful’**

Plan

- **Staff must know what to do immediately**
- **Who is in charge at the scene?**
- **Right people and equipment available?**
- **Brief emergency services etc.**

Stop it getting worse

- **Secure and control the scene**
- **Manage the affected people**
- **Manage staff morale – limited truth**
- **Control the message – one spokesperson**

Stop it getting worse

Stop it getting worse

- **CEO of Merlin after Smiler**
- **‘Something went wrong that shouldn’t have and we’ll find out what it was’**
- **That was the message throughout**
- **Other than one slip later, that was it**

Single controlling mind

- **One person at the top running the show**
- **Must have the authority**
- **Must have time and space to do only this**
- **Must have access to expertise**

Document decisions

- **The Regulator will want to know how and why things were done.**
- **Dynamic RAs may need to be written down if working at pace.**
- **Evidence and mitigation**
- **PDCA**

Generic things

- **People will be upset and will say and do the wrong things.**
- **Most regulators are generalists**
- **Priorities**
- **Time**

H&S professional

- **It happened - forget why for now; manage the dynamic situation – perspective - conkers**
- **Action log – assume court case and record scene and who did and said what**
- **Address any issues to prevent recurrence**
- **Manage regulator and both investigations..**

Those involved

- **Take care of the injured and manage their expectations. It doesn't mean accepting guilt.**
- **Don't forget the people that dealt directly with the incident and yourself**
- **Manage morale amongst staff. The business needs to carry on.**

Defence lawyer

- **Remember what I said about the regulator and the right lawyer.**
- **Trust them implicitly and tell them the good and the bad.**
- **Legal privilege.**
- **They know how to manage the message.**

Regulator

- **Secure compliance.**
- **What, where, when, how, is there a breach?**
- **Access to ALL sources of evidence. Powers to investigate effectively total.**
- **Quick, easy and trouble free investigation**

Sum up

- **Don't believe (hope) it cant/won't happen**
- **Secure and manage the site**
- **Deal with the hazard**
- **Get a defence lawyer**
- **Manage the regulator and the investigations**

QUESTIONS



A person often meets his
destiny on the road he took to
avoid it.

~ Jean de La Fontaine

AZ QUOTES