



## 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:

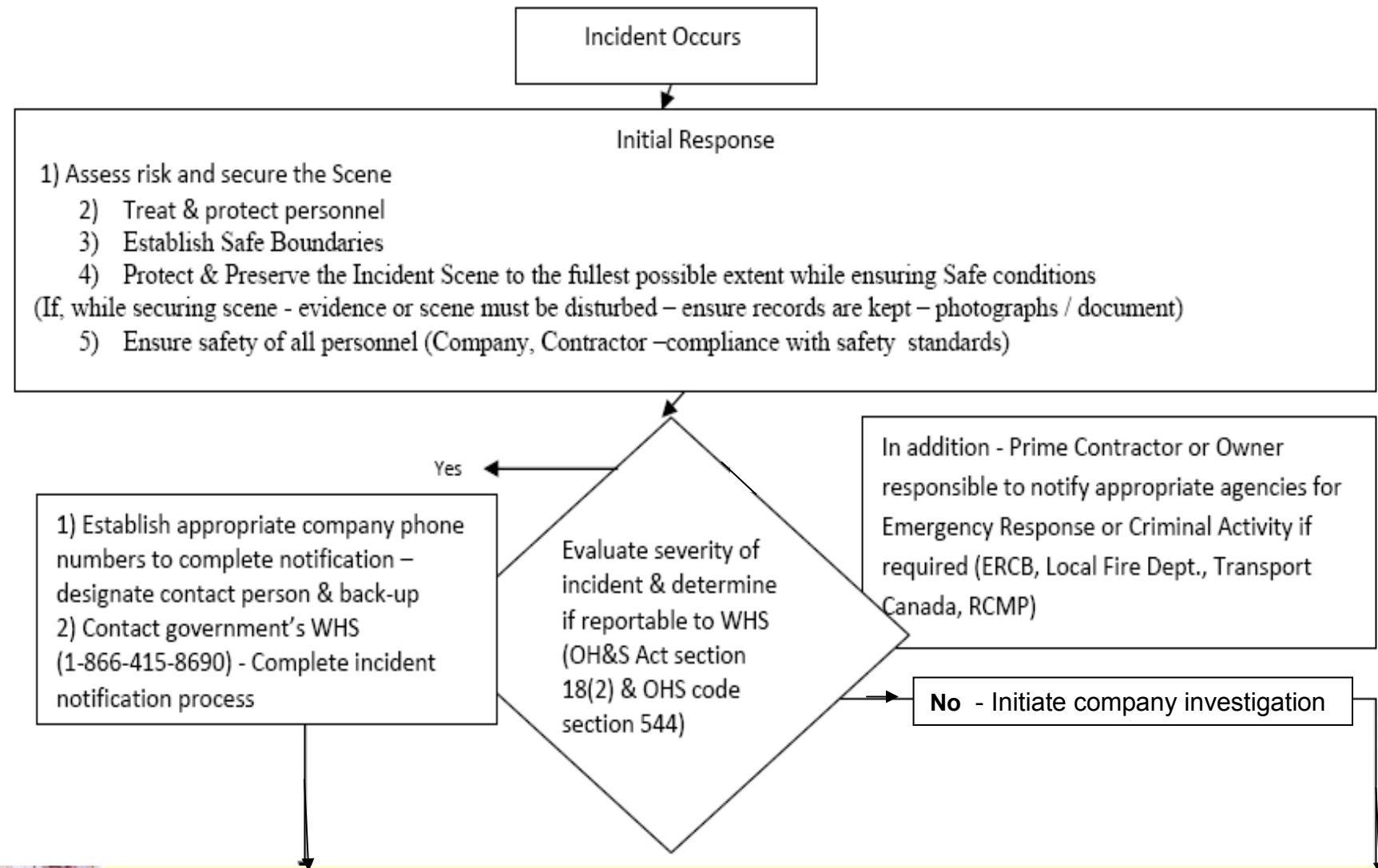
- Incident investigation process
  - Collection of information on site by owner, contractor, government agency
    - 1) Immediately 2) Same day 3) Future days
  - Determining Direct Cause
  - Completion of Investigation Report

### 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