

Injuries at Work

Checklist for Safety Reps



Action to take immediately after the accident

- Advise the member to complete an accident report & take a photocopy for his or her own records.
- Advise the member to record details of any witnesses
- If possible, take photos of any hazards contributing to or causing the accident, for example torn flooring, otherwise get evidence from witnesses.

Next Steps (where appropriate)

- Advise member about their sick pay entitlements
- Advise member to register their workplace injury with the Dept for Work & Pension.
- If employed in the NHS ensure the Trust is aware of the member's entitlement to Temporary Injury Allowance (TIA) when full sick pay period expires.
- If appropriate, explore options for ill health retirement, plus Permanent Injury Benefit (PIB) if member is NHS employed.

(Information on TIA & PIA is available on this website www.nhsbsa.nhs.uk)

What are the prospects for a Personal Injury Claim?

- Did the accident happen in the last three years?
- Could the employer have prevented the accident (for example was it caused by faulty equipment which should have been checked or repaired earlier?)
- Has the member suffered any financial loss from the accident - e.g. torn clothing, taxi costs, domestic assistance etc? Advise them to keep a record.

If the answer is yes or if the member isn't sure, encourage them to call the CSP legal services free phone line 0800 587 7519 to talk to a personal injury solicitor. This service is free.

Factors which may adversely affect a personal injury claim

- If the member had a pre-existing injury or condition
- If the member contributed to the accident through his/her own negligence
- If the accident was not foreseeable
- If the member cannot show that the injury was caused by the accident or the process

While these factors may stop or hinder a claim our advice is that the member should still contact our free legal service to ensure their legal entitlements or options are properly explored.