

## INCIDENT INVESTIGATION PROCEDURES

### **Risk Management Services**

#### **I. PURPOSE**

Identify causes and circumstances leading to occurrences and provide corrective measures implemented to prevent recurrence.

#### **II. GOAL**

Gather relevant detailed information concerning the incident from any participants and witnesses.

#### **III. SCOPE**

Relevant, detailed information will include answers to “Who, What, When, Where and How.” Events & Causal Factors worksheets will be used to assess “Why” a particular incident occurred.

#### **IV. RESPONSIBILITIES**

RMS conducts incident investigations. The Office of General Counsel approves incident investigations.

#### **V. DISCUSSION**

- A) An investigation begins when an incident is reported. Preliminary information may be telephonic, in person, or by electronic means. Investigation of an incident by an RMS representative occurs within twenty-four hours from the receipt of the preliminary information. Photographs are taken when appropriate.
- B) The incident investigation may involve injured participant(s); anonymous or named reporter; witnesses; antagonist(s) or perpetrator(s); departmental, organizational or contractual representative(s); Facilities or Housing representative, and legal advice and counsel during an investigation.
- C) An Incident Investigation Form is to be completed during the investigation. When applicable, fill out and attach the Events & Causal Factors worksheets to the report. Originals of the documents will be maintained in RMS. All copies will be labeled “Draft” until approved by the Director of Risk Management Services and a University attorney from the Office of General Counsel.
- D) Investigation drafts will include a one page Executive Summary with Purpose, Description, Conclusions & Recommendations.

#### **VI. SECURITY OF INVESTIGATION INFORMATION**

RMS will safeguard privileged and private information obtained during a standard incident investigation. To promote the security of investigation documentation, involved parties should:

- A) Not transmit investigation material over unsecured networks
- B) Never copy investigation materials onto removable media
- C) Never store investigation materials on computers or other devices not under University control
- D) Never store investigation materials on laptops or other portable devices
- E) Refrain from sending communications containing investigation material through email, instant message, or other forms of person-to-person or person-to-group communications
- F) Always attempt to forward a link to a file on a shared University server
- G) Hand-deliver investigation reports and other materials when an authorized party does not have access to the file server

#### **VII. SUPPORTING INFORMATION & ATTACHMENTS**

- A) Incident Investigation Summary Guidelines
- B) Incident Report
- C) Investigation Best Practices
- D) Statement and Supplemental Sheet
- E) Events & Causal Factors Worksheets

## INCIDENT INVESTIGATION SUMMARY GUIDELINES

### **Risk Management Services**

#### **1. CORRECTING UNSAFE SITUATIONS OR CONDITIONS**

If an unsafe situation or condition exists, it should be corrected immediately by onsite personnel (assisted by Facilities or Housing Maintenance as necessary). The person first aware of a potentially unsafe situation/condition will notify the appropriate office and Risk Management Services (RMS).

#### **2. TYPE OF INVESTIGATIONS**

General Liability, Indoor Air Quality, Worker's Compensation, Fire/Life Safety, Health Safety, Contractor Safety, etc. . . Due to the combined-discipline nature of investigations, it is desirable to use a standard incident response investigation packet, containing instructions, best practices, and basic forms to gather details necessary for a useful, factual investigation with conclusions and recommendations for decision. Investigation of criminal conduct is the responsibility of the University Police Department.

#### **3. CATEGORIES OF INCIDENT INVESTIGATION**

RMS perform incident investigations of varying levels of sophistication. Depending on the circumstances, this may warrant either an incident report on file or a limited investigation, or a more thorough investigation of an accident or incident with exposure to liability.

Circumstances may dictate a more thorough investigation. However, investigations of routine situations that are of trivial investigative depth are far more common; many require only an incident report (completed by the department or person involved) to be on file with a copy to RMS.

Criteria to differentiate **incident investigation** from an **accident/ incident with exposure to liability**:

##### **a. Incident Investigation**

- No injury or property damage
- Of trivial investigative depth
- Low/no litigation potential
- Routine, defined procedure already in place
- Incident report and any supporting documentation filed

##### **b. Accident/Incident with Exposure to Liability Investigation**

- Injury or property damage (actual or potential)
- Non-trivial investigation necessary
- Risk of litigation
- Non-routine in nature for RMS to perform

#### **4. DETERMINING CAUSE OR CONTRIBUTING CAUSE**

Investigations will always need to answer the questions '*Who, What, Where, and When.*' Following the guidelines below, *How* and *Why* will need to be answered using the Events & Causal Factors worksheets:

##### **Knowing when to use Events & Causal Factors**

- a. When there are real or potential injuries or loss/damage to property

- b. When there are questions as to how or why an accident occurred, and when there are/should be safety measures in place that should prevent the incident from occurring
- c. When there are real or potential exposures to loss
- d. When hazards need to be specifically identified in the report

## **5. NOTIFYING APPROPRIATE PERSONNEL**

When an incident involves the University (property, student, faculty, staff, construction, incident on University property etc. . .), contact RMS at (940) 565-2109. If there is an injury or suspicion of criminal activity, first contact (940) 565-3000 (campus Emergency Dispatch).

## **6. AUTHORIZATION TO ACCESS RECORDS**

During the course of an investigation, there may be instances when a University investigator, acting on behalf of the RMS, may need authorization to access University records. When applicable, and in accordance with State laws, FERPA, and Federal HIPAA requirements, the investigator will contact a University attorney concerning the need for additional information.

## **7. REPORTING OF INVESTIGATIONS**

Due to the nature of incidents, different areas of concern may need to be addressed with forms and investigations of a more granular nature than the initial report may suggest. Therefore, coordination between sections is key to performing investigations in a timely and efficient manner.

- Roles that may be observed as part of an investigation:
  - ⇒ **Principal Investigator**
  - ⇒ **Supporting Investigator(s)**
  - ⇒ **Participants (Complainants, Supervisors, perpetrator(s))**
  - ⇒ **Witness(es)**
- Instructions for proceeding:
  - a. Proceed immediately to the incident site to take pictures (if applicable) and to record the names of the persons involved or who may have witnessed the event.
  - b. Complete forms included in the Incident Investigation packet.
  - c. Contact supervisors to coordinate collection of information and determine if other areas may need to be involved in the investigation.
  - d. Review the 'Investigation Best Practices' document before beginning an in-depth investigation.
  - e. Gather data from the participants: Full names, contact information (phone number(s), home address, email), supervisor name, city of residence, and departmental or organizational affiliation with University.

## **8. PARTICIPANT AND WITNESS COMMUNICATIONS**

The principal investigator will perform initial interviews, collect basic identification and contact information for those involved directly or peripherally, and use the Incident Investigation Packet.