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# CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. INTRODUCTION</td>
<td>3</td>
</tr>
<tr>
<td>2. SUPPORTING CLAUSES</td>
<td>3</td>
</tr>
<tr>
<td>2.1 SCOPE</td>
<td>3</td>
</tr>
<tr>
<td>2.1.1 Purpose</td>
<td>3</td>
</tr>
<tr>
<td>2.1.2 Applicability</td>
<td>3</td>
</tr>
<tr>
<td>2.2 NORMATIVE/INFORMATIVE REFERENCES</td>
<td>3</td>
</tr>
<tr>
<td>2.2.1 Normative</td>
<td>4</td>
</tr>
<tr>
<td>2.2.2 Informative</td>
<td>5</td>
</tr>
<tr>
<td>2.3 DEFINITIONS</td>
<td>5</td>
</tr>
<tr>
<td>2.4 ABBREVIATIONS</td>
<td>28</td>
</tr>
<tr>
<td>2.5 ROLES AND RESPONSIBILITIES</td>
<td>28</td>
</tr>
<tr>
<td>2.6 PROCESS FOR MONITORING</td>
<td>30</td>
</tr>
<tr>
<td>2.7 RELATED/SUPPORTING DOCUMENTS</td>
<td>30</td>
</tr>
<tr>
<td>3. DOCUMENT CONTENT</td>
<td>30</td>
</tr>
<tr>
<td>3.1 CONDUCT EH&amp;S INCIDENT MANAGEMENT</td>
<td>30</td>
</tr>
<tr>
<td>4. COMMUNICATION PLAN</td>
<td>91</td>
</tr>
<tr>
<td>5. MISCONDUCT AND DISCIPLINARY PROCESS RELATING TO CONDUCT EH&amp;S INCIDENT MANAGEMENT</td>
<td>91</td>
</tr>
<tr>
<td>6. AUTHORIZATION</td>
<td>92</td>
</tr>
<tr>
<td>7. REVISIONS</td>
<td>93</td>
</tr>
<tr>
<td>8. DEVELOPMENT TEAM</td>
<td>93</td>
</tr>
<tr>
<td>9. ACKNOWLEDGEMENTS</td>
<td>93</td>
</tr>
</tbody>
</table>
1. INTRODUCTION

This procedure addresses the detailed procedural requirements for the one of the two processes i.e. “Conduct EH&S Incident Management”, as described in the Process Control Manual for Manage Environment, Health and Safety.

The Conduct EH&S Incident Management procedure manual describes the high-level intention for the effective incident management of work-related as well as environmental incidents. The aim of this procedure and its supporting annexes is to ensure and facilitate the effective and efficient management of incidents from the moment that one occurs, until it can be audited that corrective and preventive measures (i.e. safety measures) were developed and taken. Detailed rules, requirements and actions steps as well as useful examples and templates are included in this document.

2. SUPPORTING CLAUSES

2.1 SCOPE

This procedure is a Level 1 corporate document as defined in terms of the “Standard for the Definition of Eskom Documents (EST0001)”. This document describes the purpose, scope and sequence of the activities, control points and responsibilities required to perform a high-level managerial, administrative and technical function and how these functions will be recorded.

Compliance with this procedure is mandatory in its area of applicability.

2.1.1 Purpose

This procedure describes the high-level intention and requirements of incident management for the effective management of occupational diseases/illnesses, injuries and environmental damage that may occur during the course of Eskom’s business. The aim of this procedure is to ensure and facilitate the effective and efficient management of incidents from the moment that an incident occurs until it is proven and tested that adequate corrective and preventive measures (i.e. safety measures) were put in place to prevent such or similar incidents.

This includes detailed elements, such as addressing the reporting, communication, recording, measuring and investigation of work-related incidents to ensure consistent and standardised practices in Eskom and to promote learning from incidents.

2.1.2 Applicability

This procedure shall apply throughout Eskom Holdings Limited, its divisions, subsidiaries and entities wherein Eskom has a controlling interest. In cases where Eskom does not have a controlling interest, this procedure shall apply if no such similar document exists.

This procedure is applicable to Eskom employees, contractors and members of the public affected by activities of or on behalf of Eskom as and on 1 October 2011.

2.2 NORMATIVE/INFORMATIVE REFERENCES

Parties using this document shall apply the most recent edition of the documents listed in the following paragraphs.
2.2.1 Normative

The documents listed below contain provisions that, through reference in the text, constitute the requirements of this procedure. At the time of publication, the editions indicated were valid. However, these are subject to revision. All parties are encouraged to use the most recent revisions of the documents listed below. This information may be obtained from the Information Centre at Megawatt Park.

[2] 32-77: Management of Employee Incapacity due to Illness or Injury Procedure
[7] 32-727 Eskom SHEQ Policy
[8] 240-43151669 Cut over instruction for the SAP reimplementation project: SAP EH&S Module
[10] EST0001: Standard for the Definition of Eskom Documents
[27] Act No. 2 of 2000 Promotion of Access to Information Act, 2000
2.2.2 Informative

Not applicable

2.3 DEFINITIONS

2.3.1 Environmental Legal Contravention

Instances where a provision of environmental legislation (national, provincial or local), is contravened. This also refers to certificates, exemptions, permits and other legal documents issued in terms of this legislation. Environmental legislation refers to any legislation that has, or potentially has, an impact on activities interacting with the physical environment as defined in NEMA, including, but not limited to, events that result in either: sterilising the soil, or, destroying rare, endangered or protected fauna or flora (as set out in the NEM: Biodiversity Act Or Provincial Environmental Ordinances) or result in making any water resource unfit for its original purpose such as: domestic, agricultural, industrial use or reduce the water quality to such a state that human intervention is required to restore it to its original quality.

2.3.2 Contravention in terms of the Operational Health Dashboard

Contravention of Legislation fulfilling requirements of the following.

a) The contravention results in formal censure by National, Provincial or Local government.

b) The contravention is not reported to government in terms of the National Environmental Management Act, National Water Act, and or any other applicable environmental legislation requiring the reporting of environmental legal contraventions.

c) The contravention is not reported within the organisation, (in the same reporting month) and by the Division to the ELC.

d) The contravention is registered on the OHD by an Environmental Liaison Committee (ELC) member with the approval of the applicable Divisional Executive / Senior General Manager or his/her designated delegate.

e) The legal contravention is a repeat of a previously related legal contravention (repeat within 12 months of a previous legal contravention).

f) The contravention was not effectively attended to within an appropriate time frame as identified by the ELC.
2.3.3 Emergency Incident

An unexpected sudden occurrence, including a major emission, fire or explosion leading to serious danger to the public or potentially serious pollution of or detriment to the environment, whether immediate or delayed. (NEMA) and an accident involving the spilling of a harmful substance that finds or may find its way into a water resource (NWA).

2.3.4 Censure

Formal (written, or at the discretion of the ELC, any other official contact) notification of any contravention of legislation by Eskom, from local, provincial or national government.

2.3.5 Accident

Any unplanned event, which results in harm, damage and/or environmental pollution or degradation.

2.3.6 Action

See definition of Action under “Incident Management” definitions

2.3.7 Agent

See definition of Agent under “Contractor” definitions

2.3.8 Analysis

See definition of Analysis under “Incident Management” definitions

2.3.9 A person placed through a TES

See definition of a person placed through a TES under “Employee” definitions

2.3.10 A person under Learnership Contract 18.2

See definition of a person under Learnership Contract 18.2 under “Employee” definitions

2.3.11 Athletic activities

All activities involving physical exercises. This includes all exercise, sports or games, any vigorous or energetic actions and any physical activity or exertion.

2.3.12 Bursary holder

See definition of Bursary holder under “Employee” definitions

2.3.13 CARAT principles

Principles relating to the quality of data or information requiring data/information to be:
C - Complete
A – Accurate
R - Relevant
2.3.14 Classification

a. **Controlled disclosure**: controlled disclosure to external parties (either enforced by law, or discretionary).

2.3.15 Classification (process)

See definition of Classification (process) under “Incident Management” definitions

2.3.16 Close-out

See definition of Close-out under “Incident Management” definitions

2.3.17 Communication

See definition of Communication under “Incident Management” definitions

2.3.18 Commuting

Travel from home to a regular place of work and back home. This excludes travel from a workplace including campsites and other accommodation sites (i.e. hotels) where work is performed.

2.3.19 Consultant

See definition of Consultant under “Contractor” definitions

2.3.20 Contractor (also referred to as a Mandatory)

For the purpose of this document any employer formally contracted (directly or indirectly) by Eskom and who performs work, supplies a service, product, equipment or material for the purposes of advancing Eskom’s business or other interests. This includes personal contractors (i.e. consultants) and third party contractors i.e. vendors, suppliers, agents, joint ventures, principal contractors and subcontractors.

a. **Vendor**: Any employer who provides a service or product in terms of a specified contract.

b. **Third party contractors**: A third party identified by Eskom e.g. Close Corporations, organisations, companies and (Pty) Ltd companies for a specific scope of work.

c. **Supplier**: Any person or organisation which supplies any product, equipment or material; and this includes courier services.

d. **Courier service**: Any legal entity contracted (directly or indirectly) for the delivering of messages, packages and mail.

e. **Consultant**: Any person, whether self-employed or not, who provides advice or a service in a particular area of expertise. Note: this excludes permanent Eskom employees (S band Task Grading S14 to 18 and SSE)

f. **Agent**: Any person who acts as a representative for Eskom as the client, as defined in the OHS Act, Construction Regulations.
g. **Joint venture:** An entity formed through a decision and agreement to work together between two or more persons, parties and/or organisations to undertake an economic activity together and which entity is managed by means of this agreement. The parties agree to create a new entity by both contributing equity, and they then share in the revenues, expenses and control of the enterprise.

h. **Principal contractor:** An employer that is appointed in a formal agreement or contract with Eskom for the supply of a product, material or service. This implies that the principal contractor has overall control and management of a part or the whole of the actions and resources required to ensure that contractual obligations are met.

i. **Subcontractor:** An employer that is appointed in a formal agreement or contract with an Eskom principal contractor or another subcontractor and has no direct, formal contractual agreement with Eskom. The relationship between these entities exists, however, in order to satisfy an agreement between a principal contractor and a subcontractor, or a subcontractor and another subcontractor, in order to fulfill the contractual obligations that form part, or are the whole, of the agreement or contract with Eskom for the supply of a product, material or service for the purposes of advancing Eskom’s business interests.

**2.3.21 Contractor employee**

Any employee (see definition of an employee) employed by a Contractor (i.e. either a principal contractor or a subcontractor) to perform work for Eskom.

It excludes any contractor employee, where no written agreement on the arrangements and procedures to ensure compliance between Eskom and the contractor is available as required in terms of section 37(2) of the OHS Act.

A section 37(2) agreement is not required for a supplier and suppliers will be regarded as contractors.

Temporary employees who could include persons who are retired members of the employer’s Pension Fund or who are retired members of the Pension Fund over the age of 55 and who are appointed on a contractual basis.

**2.3.22 Courier service**

See definition of Courier service under “Contractor” definitions

**2.3.23 Crime**

Any offence punishable by Law.

**2.3.24 Days of lost time**

See “Number of days lost through lost time injury” definition.

**2.3.25 Disability**

A condition that resulted from disease/illness, trauma, a health or safety-related incident and/or condition which prevents the person from performing his/her regular/normal individual functions. This could be categorised as either a permanent partial, permanent total or temporary disability.

a. **Permanent total disability:** An injury, other than one which results in death, which permanently and totally incapacitates an employee from following any gainful occupation, or which results in the loss of use of any of the following in any one incident:
i. Both eyes
ii. One eye and one hand, or one eye and one arm, or one eye and one foot, or one eye and one leg
iii. Any two of the following not on the same limb: hand, foot, arm or leg.

b. **Permanent partial disability**: An injury other than one which results in death or permanent total disability, but which results in the complete loss of use of any member or part of a member of the body, or any permanent impairment of functions of the body or part thereof, regardless of any pre-existing disability of the injured member or impaired body function. This definition excludes the following:
   i. Inguinal hernia
   ii. Loss of fingernails or toenails
   iii. Loss of tip of finger without bone involvement
   iv. Loss of teeth
   v. Disfigurement
   vi. Strains or sprains which do not cause permanent limitation of motion.

c. **Temporary disability**: A disability that is of a temporary nature.

### 2.3.26 Employee

A person who has entered into or works under a contract of service, apprenticeship or learnership with an employer, whether the contract is express or implied, oral or in writing, whether the remuneration is calculated by time or work done and paid for in cash or in kind, or tacitly (by tacit agreement) and includes cases where such a person is under the control, instruction and supervision of his/her employer, namely:

a. **Permanent employee**, which includes a:
   a.1. full-time employee,
   a.2. part-time employee;
   a.3. shift worker; and
   a.4. a person referred to as a learner (18.1) or an apprentice in the Conditions of Service for Bargaining Unit employees.

b. **Non-permanent employee**, which includes:
   b.1. a person placed through a TES (Includes a Labour Broker/Personnel Agency);
   b.2. a temporary employee;
   b.3. a casual employee employed for the purpose of the employer’s business;
   b.4. an occasional employee;
   b.5. a vacation student;
   b.6. any person employed in terms of a Fixed Term Contract, and
   b.7. A person under a Learnership Contract 18.2.

c. A bursary holder while under the supervision and/or direction of an employer.
Note 1: An employee only has one employer at any given time. The employer is the person with whom he/she is in a contractual relationship of employment, even when he/she performs his/her contractual obligations for another person.

Note 2: A pensioner is excluded/not regarded as an employee as the employee-employer relationship does not exist.

a. **Permanent employee**: These include:
   i. Full-time employees who work regular/normal working hours in the day time on a continuous basis. (Also referred to as day workers or non-shift workers)
   ii. Part-time employees who work a five-hour period daily on a continuous basis.
   iii. Shift workers who are full-time employees performing their duties in variable periods according to approved shift rosters
   iv. A person referred to as a learner (18.1) or an apprentice in the Conditions of Service for Bargaining Unit employees.

b. **Non-permanent employee**: These include:
   i. A person placed through a TES (includes a Labour Broker/Personnel Agency);
   ii. Casual employees who work fewer than 24 hours (i.e. working hours) in any month and who do not qualify for fringe benefits
   iii. Occasional employees who are employed for more than three (3) successive calendar days for a specific purpose or a period not longer than six (6) months and whose services will be terminated when the purpose has been accomplished or the period expires and shall include persons employed on a temporary basis for relief purposes.
   iv. A vacation student under the supervision and/or direction of an employer which includes University students, University of Technology students and matriculants who do not hold an Eskom bursary
   v. Any person employed in terms of a Fixed Term Contract
   vi. A person under Learnership Contract (18.2) for the purpose of this document, while on an Eskom site or any other site under Eskom’s supervision.
   vii. Apprentice for the purpose of this document, while on an Eskom site or any other site under Eskom’s supervision.

c. **A person placed thought a TES**: Any person Any person placed through a Temporary Employment Service (TES), including a Labour Broker/Personnel Agency, on a contractual basis to perform work and who is remunerated by the Temporary Employment Service and works under the control, instruction and supervision of the employer.

d. **Temporary Employment Service (includes a Labour Broker/Personnel Agency)**: A registered person or business who has a letter of good standing with the Workmen’s Compensation Commissioner and who:
   i. Procures or provides employee(s) to perform work or render services for a client; and
   ii. Remunerates those employees.
   iii. Note that both of these elements must be present for the person providing or procuring the employees to fall under the definition of a TES. The TES must be in possession of the applicable Letter of Good Standing with the Workman Compensation Commissioner.

e. **A person under Learnership Contract 18.2**: A person who is not employed by Eskom and who is recruited to enter into a learnership agreement. Learners appointed prior to 1 May 2006.
f. **Bursary holder**: A temporary worker who works during holidays or according to another similar arrangement as part of his/her training; also regarded as a casual worker.

### 2.3.27 Responsible manager

An responsible manager is defined in terms of Section 1 of the OHS Act, which states:

“Subject to the provisions of subsection (2), any person who employs or provides work for any person and remunerates that person or expressly or tacitly undertakes to remunerate him/her, but excludes a labour broker as defined in section 1(1) of the Labour Relations Act, 1956.”

For the purpose of this document, the responsible manager means the person who represents the company in terms of section 16.1 or any person formally assigned in terms of section 16.2 of the OHS Act.

### 2.3.28 Eskom employee

Any employee (see definition of an Employee) employed by Eskom Holdings (Pty) Ltd or any of its subsidiaries.

Any contractor employee (excluding suppliers), where a written agreement does not exist between Eskom and the contractor in terms of section 37(2) of the OHS Act.

Any contractor employee, governed by the Mine Health and Safety Act.

### 2.3.29 Event

An event is any observable or extraordinary phenomenon or occurrence. An event could be the product of a chain of occurrences.

### 2.3.30 Fatality

A fatality is an incident occurring at work or arising out of or in connection with the activities of persons at work, or in connection with the use of plant or machinery, in which, or in consequence of which, any person (i.e. employee, contractor or member of the public) dies regardless of the time intervening between the injury and/or exposure to the cause and death.

This excludes the death of a person (employee or contractor employee) while at the workplace and on duty who dies as a consequence of any activity not directly related to the course and scope of the deceased’s employment (e.g. death from natural causes, etc.)

### 2.3.31 Feedback

See definition of Feedback under “Incident Management” definitions

### 2.3.32 First-aid treatment case

An incident resulting in a work injury that necessitates first aid **treatment**:

- no medication is prescribed and/or dispensed; (except Paracetamol administered by an Occupational Health Nurse as a once off within a 24 hour period)
- no subsequent medical treatment is required;
- no referral is required;
• the affected employee is able to resume work after the injury has been treated.

Note: in the case of a lack of information or documentation with regard to the level of treatment received by the injured after visiting a doctor, such a case to be regarded as a medical.

2.3.33 Home (Domicilia citandi et executandi)

The person’s physical address at which legal proceedings may be instituted. A permanent place of residence.

2.3.34 Identification

See definition of Identification under “Incident Management” definitions

2.3.35 Immediate cause

The causes of an incident that can be detected by our senses (i.e. they can be seen, heard, smelled, touched and sometimes tasted.) These causes are readily apparent or evident and immediately precede the contact or incident.

2.3.36 Incident

Any unplanned event, which could or does result in harm, damage and/or environmental pollution or degradation.

2.3.37 Incident Management

Incident management is an integral function of Risk Management and is aimed at reducing the impact of incidents, enabling corrective action to be taken and changed practice to be introduced. It also allows for learning from the incidents that have occurred to prevent similar incidents from happening or to mitigate the impact thereof. This includes the effective communicating, reporting, measurement, recording and investigation of incidents. Incident Management is not a mechanism for assigning blame or monitoring staff performance but rather a way of identifying and addressing weaknesses to reduce future risks.

a. **Process:** A naturally occurring or designed sequence of changes in properties or the attributes of an object or system.

b. **Planning:** It is both the organisational process of creating and maintaining a plan; and the psychological process of thinking about the activities required to create a desired future on some scale. As such, it is a fundamental property of intelligent behaviour. The term is also used to describe the formal procedures used in such an endeavour, such as the creation of documents and diagrams or holding meetings to discuss the important issues to be addressed, the objectives to be met and the strategy to be followed.

c. **Identification:** The function of Identification is to map a known quantity to an unknown entity so as to make it known. Identification is the capability to find, retrieve, report, change or delete specific data without ambiguity.

d. **Notification:** A process of using a system as a means of delivering a message to a set of recipients.

e. **Prioritisation:** A process of establishing or arranging priorities for a set of tasks, to be dealt with in order of importance.

f. **Response:** Mobilisation of the necessary resources to manage the events following an incident.
g. **Classification (process):** A process in which incident information is placed into groups, based on quantitative information about one or more inherent characteristics (e.g. variables, characters, etc.) and in relation to a set of previously labelled categories or a taxonomy (i.e. kinds of things that are arranged frequently in a hierarchical structure, typically related by subtype-super type relationships, also called parent-child relationships.)

h. **Recording:** A process of capturing data or translating information into a format stored on a storage medium (often referred to as a record), for the collection of data.

i. **Investigation:** The process of inquiring into a matter through research, follow up, study or a formal procedure of discovery.

j. **Analysis:** The process of breaking down a complex topic into smaller parts to gain a better understanding of it.

k. **Action:** Making a change to address a weakness identified in a management system, in response to an incident.

l. **Monitoring:** To monitor or monitoring generally means to be aware of the state of a system, using a monitor or a measuring device of some sort, e.g. observation.

m. **Feedback:** A bi-directional process of sharing observations, concerns and suggestions with another person with the intention of improving his/her performance or understanding as an individual, so as to ensure continuous improvement.

n. **Close-out:** The final step in the process to verify that all incidents were properly investigated, all root causes/key factors have been addressed appropriately, identified recommendations have been effectively implemented and that all relevant information has been captured according to CARAT principles on the SAP EHS system.

o. **Communication:** A process that allows an exchange of information by several methods, and that requires feedback.

### 2.3.38 Investigation

See definition of Investigation under “Incident Management” definitions

### 2.3.39 Irregular place of work

See definition of Irregular place of work under “Workplace” definitions

### 2.3.40 Joint venture

See definition of Joint venture under “Contractor” definitions

### 2.3.41 Labour Broker

See definition of Temporary Employment Service (TES) under “Employee” definitions

### 2.3.42 Lost time incidence rate (LTIR)

See definition of lost time incidence rate (LTIR) under “Safety metrics” definitions
2.3.43 Lost time injury

A work injury, including any occupational disease/illness or fatality, which arises out of and in the course of employment and which renders the injured employee or contractor unable to perform his/her regular/normal work on one or more full calendar days or shifts other than the day or shift on which the injury occurred. (Normal work refers to any work where a person can perform his/her normal duties without restriction.) This will apply if any employee is booked off, it will be regarded as a Lost Time.

This also includes, but is not limited to, the following:

- Amputation or permanent loss of the use of a limb or part thereof is classified as a lost time injury.
- All bone fractures excluding hairline fractures are classified as lost time injuries, even if no time was lost.
- Any occupational disease/illness certified by an occupational medical practitioner or a specialist in the medical field, depending on the case (e.g. NIHL, an ENT or Audiologist; lung diseases confirmed by a specialist by means of diagnostic evaluation/examination), is also classified as a lost time injury, whether or not any time was lost. Date of confirmation by the specialist will be deemed as date of incident.
- In the case of Noise Induced Hearing Loss, consecutive threshold shifts in excess of 10% will be regarded as separate lost time injuries.
- Any incident which occurs while an employee was off duty and because of the situation at that time and his/her expertise, put him/herself on duty in order to save a life, or to protect Eskom’s property or conduct any duty during an emergency situation and in this way furthering Eskom’s business. Such an incident will be regarded as a lost time injury.
- This includes restricted duty as per definition.

The following incidents will not be regarded as lost time injuries:

- In the event of a hairline fracture, no lost time injury may be recorded only if the attending physician specifies that the injured person is not restricted in performing his/her normal duties as per the involved employees job specification and no time was lost.
- A person losing a shift due to being hospitalised for 48 hours or less for the purposes of observation (no medication is administered or treatment provided) will not be regarded as having suffered a lost time injury. This will exclude chronic medication prescribed prior to the incident which is unrelated to the incident and reasons for observation.

Note: The medical certificate where a person has been booked of or placed on restricted duty by a psychologist, physiotherapist etc. would only be considered if the person who was seen and booked of by these specialists, was referred to these specialists by a doctor.

Note: Acute stress reaction (also called acute stress disorder, psychological shock, mental shock, or simply shock) is a psychological condition arising in response to a terrifying or traumatic event would only be considered if diagnosed by a medical doctor or a specialist. (See definition of “Post-traumatic stress disorder/syndrome”).
2.3.44 Machinery

See definition of Machinery under “Workplace” definitions

2.3.45 Management

Management comprises a directing and controlling group of one or more people or entities for the purpose of co-ordinating and harmonising that group towards achieving a goal.

Management often encompasses the deployment and manipulation of human resources, financial resources, technological resources and natural resources.

2.3.46 Mandatory

See definition of “Contractor”

2.3.47 Medical treatment case

An incident that results in a work injury where active treatment (excluding prophylactic treatment) was rendered by an occupational health nurse practitioner, a doctor or hospital within a 24-hour period and medication is prescribed, dispensed and/or applied or the nature of treatment is such that a competent First Aider is not qualified to render that assistance.

Note: Treatment for the purpose of this document excludes any diagnostic or examination procedure or method use in the establishment of the extent of injuries or illnesses. (For example X-rays or scans)

2.3.48 Member of the public

Any person who is not regarded as an Eskom employee or a Contractor employee in any manner, including visitors and minors.

Any family member or visitor of a Teleworker, in the event of an incident if present and involved in performing work for or on behalf of the Teleworker at the house deemed to be the employee’s house (section 37), will be regarded as a member of the public.

a. Visitor: Any person visiting a workplace with the knowledge of or under the supervision of an employee. This could include a minor.

b. Minor: A person who is under the age at which one legally assumes adulthood and is legally granted the rights afforded to adults in society. According to the South African Constitution (section 28), “child” (i.e. a minor) means a person under the age of 18 years.

2.3.49 Minor

See definition of Minor under “Member of the public” definitions

2.3.50 Monitoring

See definition of Monitoring under “Incident Management” definitions

2.3.51 Near-miss occurrence

Any event that did not result in damage and/or injury but that had the potential, under slightly different circumstances, to cause harm or damage, occupational diseases and/or ill health effects.
An occupational hygiene related event resulting in the possibility of the OEL being exceeded and where, at that time, either no person was exposed or the involved, exposed person was not wearing the appropriate PPE.

This for example includes instances where:

- A ‘close call’ or near collision e.g. a vehicle loses control and no injuries or damage resulted
- People admitted for observation
- Two Eskom vehicles following each other almost caused an accident when the front vehicle reduced speed suddenly. That is one near-miss incident.
- A person works on the line and just before he touch the line he realise it’s still alive. He made alarm and ask the supervisor to remove all workers and isolate the line first.
- A person didn’t hook up whilst working at heights. He slipped and manage to grab onto a secure part of the structure and prevent himself from falling.

Note: That is a near-miss incident and although it involves the violation of a cardinal rule reporting it will be taken into account during the disciplinary process in a favourable manner.

- Any incident where an employee was exposed to an occupational hygiene stress factor (including ionised radiation) whereby the Occupational Exposure Limit have not been exceeded but under slightly different circumstances, could cause harm, occupational diseases or ill health affects.

Note: There can only be one Near-miss occurrence per event notwithstanding the number of people involved.

In the case where the OEL have been exceeded such a case will be classified according to the severity of injuries or treatment required.

### 2.3.52 Non-permanent employee

See definition of Non-permanent employee under “Employee” definitions

### 2.3.53 Normal or routine travel

See definition of Normal or routine travel under “Workplace” definitions

### 2.3.54 Notification

See definition of Notification under “Incident Management” definitions

### 2.3.55 Number of days lost through lost time injury

The total number of full calendar days that an injured person is unable to perform his/her regular/normal duties as a result of a work injury. The total does not include the day on which the injury occurred or the day on which the injured person returned to work; but it does include the intervening Saturdays, Sundays, public holidays or plant-shutdown days.

In a case where the injured person’s service was terminated, the number of days lost would be determined by the medical practitioner involved.
2.3.56 Occupational disease/illness

Any confirmed disease/illness arising out of and in the course of an employee’s employment and which is listed in Schedule 3 of the COID Act or any other condition as determined by the Occupational Medical Practitioner. Confirmation must be given by an Occupational Medical Practitioner based on the objective diagnostic analysis and/or feedback from specialists depending on the disease or illness.

2.3.57 Operating/Business Unit (OU/BU)

Any defined unit within the Eskom environment, operating as an operational unit under a particular cost-centre number. In the context of this document and in terms of health and safety, any reference to an OU/BU includes a defined unit within any Eskom division and its subsidiaries.

2.3.58 Operating/Business Unit Manager

The Responsible Manager at an Operating/Business Unit.

2.3.59 Pensioner

A pensioner is a person who has retired, and now collects a pension. It is accordingly implied that the person stopped employment completely.

This usually happens upon reaching a determined age, when physical conditions do not allow the person to work anymore (by illness or accident), or even by personal choice (usually in the presence of an adequate pension or personal savings).

2.3.60 Permanent employee

See definition of Permanent employee under “Employee” definitions

2.3.61 Permanent partial disability

See definition of Permanent partial disability under “Disability” definitions

2.3.62 Permanent total disability

See definition of Permanent total disability under “Disability” definitions

2.3.63 Personnel Agency

See definition of Temporary Employment Service (TES) under “Employee” definitions

2.3.64 Planning

See definition of Planning under “Incident Management” definitions

2.3.65 Plant

See definition of Plant under “Workplace” definitions
2.3.66 Post-traumatic stress disorder/syndrome

A mental disorder / syndrome certified by qualified Psychiatrist, following exposure to an extreme traumatic work related event or stressor.

Acute stress reaction/ disorder/psychological shock/mental shock or shock) is a psychological condition diagnosed by a medical practitioner following one of the following terrifying or traumatic event related to either an incident involving assault, hi-jacking, armed robbery, explosion, trapped in a confined space or lift or an accident.

2.3.67 Principal contractor

See definition of Principal contractor under “Contractor” definitions

2.3.68 Prioritisation

See definition of Prioritisation under “Incident Management” definitions

2.3.69 Process

See definition of Process under “Incident Management” definitions

2.3.70 Property damage incident

Any incident that results in property damage. It is important to investigate property damage incidents in order to identify and ensure the lessons to be learnt are shared.

2.3.71 Public SI fatality

A Public Sustainability Index (SI) fatality is defined as an incident resulting in a fatality to a member of the public in the electrocution of a member of a public by coming into contact with Eskom apparatus, but excluding electrocution resulting from criminal activity. (Minors being electrocuted as a result of criminal activity will be regarded as a SI incident.) Or any work related incident where an Eskom employee or contractor might be responsible for a fatality to a member of the public, excluding and incident where a member of the public was solely at fault and excluding Eskom contractor fatalities.

2.3.72 Recordable incident

Any injury which must be recorded in terms of the OHS Act as well as the MHSA Section 23, i.e. medical treatment case, lost time injuries, serious injuries.

It also includes an incident which must be recorded and reported in terms of the Environmental Liaison Committee (ELC) Performance Indicator Reporting Procedure (32-249).

2.3.73 Recording

See definition of Recording under “Incident Management” definitions

2.3.74 Regular place of work

See definition of Regular place of work under “Workplace” definitions
2.3.75 Repeat incident

An incident can be classified as a Repeat incident, if there is clear evidence that corrective and preventative actions (i.e. safety measures) identified in previous incidents were not implemented and effective.

A repeat incident applies to incidents involving employees, contractors and/or members of the public that re-occurred at least within a 5 year period within:

a) the same OU/BU (all incidents) and

b) relevant Eskom division or subsidiary (at least all LTI related incidents) or

c) any other sites involving fatalities.

2.3.76 Restricted duty

When an injured employee or contractor is not booked off but cannot perform all or any part of his/her duties as per job compact/ specified job outputs or any duty/work/task required by the responsible manager as part of the employees normal duty even though it is not listed or referred to in the individuals job specification or job compact.

Note: Where the term ‘Light duty’ is used, it will be regarded (by implication) as restricted duty and therefore the employee is regarded as not fit for normal duty as specified in the first medical or any other medical report. This will therefore be regarded as a lost time injury.

2.3.77 Response

See definition of Response under “Incident Management” definitions

2.3.78 Responsible Manager

The Responsible Manager as defined in the Eskom Requirements pertaining to EHS Roles and Responsibilities.

2.3.79 Risk Management:

Risk management is the human activity which integrates the recognition of risk, risk assessment, developing strategies to manage it, and mitigation of risk using managerial resources, with the objective to reduce different risks to an acceptable level.

2.3.80 Root causes

The most basic causes of an incident that can reasonably be identified, over which management has control and which management can rectify and for which effective corrective actions for preventing a recurrence can be taken, for example, a fundamental weakness of design, quality of workmanship or operation and defects.

2.3.81 Safety metrics

The following Safety metrics are used in Eskom:

<table>
<thead>
<tr>
<th>Metrics</th>
<th>Definition</th>
<th>Calculation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lost time incidence</td>
<td>The LTIR is a proportional representation of the occurrence of industrial lost time injuries excluding all passengers in commuting</td>
<td>LTIR = (The number of lost time injuries x 200 000)/(total number of injuries)</td>
</tr>
</tbody>
</table>
**rate (LTIR)**

<table>
<thead>
<tr>
<th>Incidents.</th>
</tr>
</thead>
<tbody>
<tr>
<td>It is used internationally as an indicator or measure of health and safety performance.</td>
</tr>
<tr>
<td>The figure 200 000 refers to the average number of hours worked by 100 employees in one year.</td>
</tr>
<tr>
<td>The LTIR reflects a rough estimate of the percentage of the workforce that suffered a lost time injury in the preceding 12 months.</td>
</tr>
</tbody>
</table>

**employee work hours**

<table>
<thead>
<tr>
<th>Where:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The number of lost time injuries is the sum of all the lost time injuries that occurred over a 12-month period; and</td>
</tr>
<tr>
<td>• Total number of employee work-hours is the sum of all employee work hours over a 12-month period.</td>
</tr>
</tbody>
</table>

**Total recordable incident rate: (TRIR)**

<table>
<thead>
<tr>
<th>The TRIR is a proportional representation of the occurrence of Total Recordable incidents.</th>
</tr>
</thead>
<tbody>
<tr>
<td>It is used internationally as an indicator or measure of health and safety performance.</td>
</tr>
<tr>
<td>The figure 200 000 refers to the average number of hours worked by 100 employees in one year.</td>
</tr>
<tr>
<td>The TRIR reflects a rough estimate of the percentage of the workforce that suffered a Recordable incident in the preceding 12 months.</td>
</tr>
</tbody>
</table>

**TRIR** = (Total number of Recordable Incidents x 200 000) /Total number of employee work hours)

<table>
<thead>
<tr>
<th>Where:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Total number of Recordable Incidents is the sum of all Recordable incidents that occurred in a 12-month period; and</td>
</tr>
<tr>
<td>• Total number of employee work hours is the sum of all employee work hours over a 12-month period.</td>
</tr>
</tbody>
</table>

**Severity Indicator**

<table>
<thead>
<tr>
<th>An indicator recording the number of lost time injuries according to their severity and measured in accordance with the number of calendar days lost and is classified in periods of 1 to 3 days; 4 to 13 days; or ≥ 14 days.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupational medical practitioner has to advise on the protocol used to determine the number of calendar days booked off.</td>
</tr>
</tbody>
</table>

**Severity rate**

<table>
<thead>
<tr>
<th>The severity rate provides a proportional representation of the calendar days lost through lost time injuries as a percentage of the number of working hours worked. (Based on a 12-month rolling average.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>It is an indication of the seriousness of the fatalities, injuries and occupational diseases/illnesses experienced in terms of days lost, according to COID Act schedules, where:</td>
</tr>
<tr>
<td>• the number of days lost for a fatality equals 6 000 days;</td>
</tr>
<tr>
<td>• the number of days lost for occupational diseases/illnesses equals:</td>
</tr>
<tr>
<td>• 4 000 days for occupational diseases/illnesses that result in permanent disablement (e.g. Noise</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Severity Rate = (The number of calendar days lost x 200 000)/(total number of employee work hours)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Where:</td>
</tr>
<tr>
<td>• The number of days lost is the sum of all the calendar days lost over a 12-month period; and</td>
</tr>
<tr>
<td>• Total number of employee work-hours is the sum of all employee work hours over a 12-month period.</td>
</tr>
</tbody>
</table>
### Induced Hearing Loss (NIHL)

- (refer to Schedule 3 in the COID Act – standard) or
- 6 000 days for occupational diseases/illnesses where the disease/illness (e.g. asbestosis) could result in the death of the individual.

Note: Excluding occupational diseases/illnesses involving labour broker placed employees.

### 2.3.82 Environmental management metrics

The following environmental metrics are used in Eskom:

<table>
<thead>
<tr>
<th>Metrics</th>
<th>Definition</th>
<th>Calculation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contraventions of Environmental Legislation</td>
<td>Instances where provisions of environmental legislation, national, provincial or local, are contravened. This also refers to certificates, exemptions permits and other legal documents issued in terms of this legislation. Environmental legislation refers to any legislation that has, or potentially has, an impact on activities interacting with the environment as defined in NEMA.</td>
<td>Total number of contraventions of environmental legislation over the previous 12 month period (12 monthly moving index)</td>
</tr>
</tbody>
</table>
| Contraventions of environmental legislation in terms of the OHD | Total number of contravention’s of environmental legislation where:  
  a) The contravention results in formal censure by National, Provincial or Local government.  
  b) The contravention is not reported to government in terms of the National Environmental Management Act, National Water Act, and or any other applicable environmental legislation requiring the reporting of environmental legal contraventions.  
  c) The contravention is not reported within the organisation, (in the same reporting month) and by the Division to the ELC.  
  d) The contravention is registered on the OHD by an Environmental Liaison Committee (ELC) member with the approval of the applicable Divisional Executive / Senior General Manager or his/her designated delegate. | The total number of contraventions in terms of the OHD over the previous 12 month period (12 monthly moving index) is used as the key performance indicator, and is reported against a set “target”, “alarm” and “critical”. |
2.3.83 Secondment

See definition of “Temporarily transferred”.

2.3.84 Serious Incident

An incident as defined in section 24(1) of the OHS Act as well as the MHSA Section 23., but including a traffic incident on a public road and electrical contact incidents involving members of the public. Whenever anything becomes reportable in terms of the Act, it is regarded as serious. This includes the uncontrolled exposure of persons to Occupational Hygiene stress factors. It also includes incidents with the potential to cause a serious injury, as well as incidents that have caused or may cause significant pollution or degradation of the environment, and incidents that are or have resulted in a contravention of legislation.

2.3.85 Severity indicator

See definition of Severity indicator under “Safety metrics” definitions.

2.3.86 Severity rate

See definition of Severity rate under “Safety metrics” definitions.

2.3.87 Site

See definition of Site under “Workplace” definitions.

2.3.88 Subcontractor

See definition of Subcontractor under “Contractor” definitions

2.3.89 Supervision

An action necessary, by a competent person appointed in the role of supervisor, to ensure:

- the performance of work activities; as well as
- the health and safety of any person at work and/or any person affected by activities arising out of or in connection with the activities of persons at work, or in connection with the use of plant or machinery.
2.3.90 Supervisory environment is altered

Situations where the supervisor is no longer able to supervise the particular working environment and is not able to conduct the required risk assessment

2.3.91 Supplier

See definition of Supplier under “Contractor” definitions

2.3.92 Technical incident

Any event occurring at work or arising out of or in connection with the activities of persons at work, or in connection with the use of plant or machinery, in which, or in consequence of which, a major technical incident (as defined by Assurance and Forensic) occurred (e.g. any event of a technical nature occurring in the plant).

2.3.93 Telework or “Telecommuting”

See definition of Telework or Telecommuting under “Workplace” definitions

2.3.94 Teleworker

An employee performing Telework or “Telecommuting”.

2.3.95 Temporary disability

See definition of Temporary disability under “Disability” definitions

2.3.96 Temporarily transferred (also Secondment):

Any employee performing work (including training, lecturing / facilitating) at another OU/BU or external company, that is part of a formal arrangement.

2.3.97 Temporary Employment Service (TES)

See definition of Temporary employment service (TES) under “Employee” definitions

2.3.98 Temporary place of residence

A temporary place of residence utilised by the employee for example: a hotel / guesthouse / construction camp site or any other place of temporary residence.

2.3.99 Third party contractors

See definition of Third party contractors under “Contractor” definitions

2.3.100 Total recordable incident rate (TRIR)

See definition of Total recordable incident rate (TRIR) under “Safety metrics” definitions
2.3.101 Travel

See definition of Travel under “Workplace” definitions

2.3.102 Vehicle and traffic incident

An incident in which an Eskom-insured (directly or indirectly) vehicle sustains damage; including private vehicles used with written permission from the applicable supervisor where the vehicle was used for furthering Eskom’s business. This excludes incidents where the vehicle was stationary and unoccupied, or any incidents of windscreen chips with no serious or potential consequences.

2.3.103 Vendor

See definition of Vendor under “Contractor” definitions

2.3.104 Visitor

See definition of Visitor under “Member of the public” definitions

2.3.105 Work injury

Injury to Eskom employees and/or contractor employees, whether full-time, casual, occasional, part-time, unattached learner (while on Eskom premises), bursary holder (while on Eskom premises) etc., arising out of and in the course of employment, including occupational diseases/illnesses and exposures reportable in terms of sections 24 and 25 of the OHS Act.

Note: Occupational diseases/illnesses involving labour broker employed through Labour Broker Agencies, will not be counted against Eskom’s employee statistics due to the difficulty in monitoring exposures wile exposed to other employers or multiple employers.

Medical surveillance of labour broker employees is still required to be done by Eskom either directly or by means of an agreement with the applicable Labour Broker service provider.

2.3.106 Work-related incident

Any incident occurring at any workplace or arising out of or in connection with the activities of persons at work (whether authorised or not authorised), or in connection with the use of plant or machinery, in which, or in consequence of which:

- any person (i.e. employee, contractor or member of the public):
  - dies (i.e. a fatality);
  - becomes unconscious;
  - loses a limb or part of a limb;
  - is otherwise injured or becomes ill to such a degree that he/she is either likely to die or to suffer a permanent physical defect (e.g. an occupational disease/illness, permanent total/partial disability, etc.);
  - is likely to be unable either to work or to continue the activity for which he/she was employed or is usually employed (e.g. temporary disability). This includes post-traumatic stress syndrome and acute stress.

- the health or safety of any person was endangered and where:
  - a dangerous substance was spilled;

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2.3.107 Working-hours of exposure

The total hours of exposure which are standardised per division, including regular/normal working hours and overtime. Working hours will be allocated to the operating/business unit that employs the employee.

This must be calculated for Eskom employees and may be calculated for either Eskom employees or contractor employees. This calculation includes clerical, administrative and all other employees as defined in the respective definitions of “Eskom employees” and “Contractor employees”.

Until 31 March 2012 (inclusive), where it is not reasonable practicable to calculate the actual number of working hours, an estimated average number of hours (accepted as between 180 and 200 hours) per person per month may be used. This estimate must be representative of the actual working hours applicable to the particular division and/or operating/business unit. The division and/or operating/business unit must investigate the baseline of working-hours worked over a period of at least six months. Such period must be typical and representative of the working-hours worked for that particular division and/or operating/business unit and must be reviewed at least every two years or when circumstances change.

As from 1 April 2012 (inclusive), where it is not reasonable practicable to calculate the actual number of working hours, an estimated average number of hours (accepted as 200 hours) per person per month may be used. This estimate was agreed by OHSLC as a representative number of the actual working hours worked in Eskom.
2.3.108 Workplace

Any premises or place where a person performs work in the course of his/her employment, including a private home or portion thereof in the case of Telework, a vehicle, aircraft, train, boat or vessel.

a. Workplace boundaries: On Eskom property: the boundaries of the workplace include the area where a person enters through any defined first point of entry e.g. entrance, gate, boom etc. The actual point of entry/exit will be the point where Eskom actively exercise control over such entrance area, gate or boom. In the absence of the above, any area up to the point where the employee, who is on the way from or to home (i.e. commuting), enters or leaves his/her scheme car, private vehicle or the public transport that is used for Eskom purposes with permission and refunded by Eskom. In the case of a lease agreement, the first access point will be regarded as the boundary of the leased premises, unless stipulated otherwise. It is any defined workplace where the employee performs work, including

i. an irregular place of work; and
ii. a regular place of work.

b. Regular place of work: The boundaries of the workplace include any area up to the point where an employee enters or leaves his/her private vehicle/ scheme vehicle/public transport. That part of the workplace where the employee’s office/workstation is and/or he/she will for example:

i. Report for duty and/or regularly attends meetings
ii. Receive his/her job cards and/or principal work instructions
iii. Receive training or perform work activities at the same venue for more than five consecutive working days
iv. Perform his/her administrative functions, e.g. completing leave applications, receiving salary slips, etc.

c. Irregular place of work: Any other workplace excluding the regular place of work.

d. Telework or “Telecommuting”: Work performed by the employee at his/her home, in the course and scope of his/her employment, for the employer as formally agreed and/or directed by the employer. During the time that such work is performed the appropriate area (either pre-defined or the house and/or property as a whole) will be regarded as the “workplace”. The onus is on the responsible manager to ensure a safe working environment and is obliged to conduct an assessment in order to ensure as far as reasonable practicable the identification of obvious potential hazards related to Telework. (Note: The supervisor to conduct a risk assessment on the “Workplace” in any suitable manner as appropriate for the particular circumstances at that time. The assessment must cover the hazards related to the individuals work during Telework.)

e. Normal or routine travel: Normal or routine travel includes travel at irregular hours due to late shifts, overtime, special or urgent/emergency work, etc.

f. Travel: Moving from one area to another, which includes walking, cycling, flying, driving or travelling as a passenger.

g. Site: The location of an event, structure or object, whether actual, virtual, abandoned (e.g. an archaeological site), present or planned. This may or may not have boundaries.

h. Plant: This includes fixtures, fittings, implements, equipment, tools and appliances, and anything that is used for any purpose in connection with such plant.
i. **Machinery**: Means any article or combination of articles assembled, arranged or connected and which are used or intended to be used for converting any form of energy to performing work, or which are used or intended to be used, whether incidental thereto or not, for developing, receiving, storing, containing, confining, transforming, transmitting, transferring or controlling any form of energy.

2.3.109 **Workplace boundaries**

See definition of Workplace boundaries under “Workplace” definitions.
2.4 ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AFD</td>
<td>Audit and Forensic Department</td>
</tr>
<tr>
<td>COID Act</td>
<td>Compensation for Occupational Injury and Disease Act, 1993 (Act No. 130 of 1993)</td>
</tr>
<tr>
<td>EDC</td>
<td>Eskom Documentation Centre</td>
</tr>
<tr>
<td>EH&amp;S</td>
<td>Environmental, Health and Safety</td>
</tr>
<tr>
<td>EIMS</td>
<td>Eskom Insurance Management Services</td>
</tr>
<tr>
<td>ELC</td>
<td>Environmental Liaison Committee</td>
</tr>
<tr>
<td>ENT</td>
<td>Ear, Nose and Throat</td>
</tr>
<tr>
<td>H&amp;S</td>
<td>Health and Safety</td>
</tr>
<tr>
<td>HR</td>
<td>Human Resources</td>
</tr>
<tr>
<td>ICU</td>
<td>Intensive Care Unit</td>
</tr>
<tr>
<td>LTIR</td>
<td>Lost Time Injury Rate</td>
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<tr>
<td>NEMA</td>
<td>National Environmental Management Act</td>
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<tr>
<td>NIHL</td>
<td>Noise Induced Hearing Loss</td>
</tr>
<tr>
<td>NIOH</td>
<td>National Institute for Occupational Health</td>
</tr>
<tr>
<td>OHD</td>
<td>Operational Health Dashboard</td>
</tr>
<tr>
<td>OHS</td>
<td>Occupational Health and Safety</td>
</tr>
<tr>
<td>OHS LC</td>
<td>Occupational Health and Safety Liaison Committee</td>
</tr>
<tr>
<td>OU/BU</td>
<td>Operating/Business Unit</td>
</tr>
<tr>
<td>SHE</td>
<td>Safety, Health and Environment</td>
</tr>
<tr>
<td>SHEQ</td>
<td>Safety, Health, Environmental and Quality</td>
</tr>
<tr>
<td>TES</td>
<td>Temporary Employment Service as defined by the Labour Relations Act, 127, as amended in 1998.</td>
</tr>
<tr>
<td>TRIR</td>
<td>Total Recordable Incident Rate</td>
</tr>
<tr>
<td>WCC</td>
<td>Workmen's Compensation Commissioner</td>
</tr>
</tbody>
</table>

2.5 ROLES AND RESPONSIBILITIES

Eskom and its subsidiaries shall take all reasonably practicable steps to prevent all incidents and harm to any person and the environment, including members of the public, and damage to property.

The responsible manager is responsible for health and safety, as well as the implementation of this procedure.

The responsibilities of the responsible manager are highlighted in this procedure and must be assigned to the applicable line manager/supervisors at every operating/business unit (or service or strategic function, where relevant) and specific duties must be stipulated in the job compact of the applicable individual line manager/supervisor.

The responsible manager must ensure that the relevant information in this procedure is communicated to all Eskom supervisors, employees, contractors and Temporary Employment Service Providers and any other person involved in Eskom’s activities to which this procedure applies.

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Each operating/business unit will be responsible (where applicable) for the development of its own supporting documents and standards in order to comply with this procedure. The requirements stipulated in this procedure will take precedence over any other requirement where there is a conflict.

Operating/Business Unit Managers and Responsible Managers have the responsibility to implement this procedure’s requirements pertaining to “Conduct EH&S Incident Management”. This requires the establishment of effective incident management processes and systems to:

- adhere to all legislative requirements pertaining to the incident management process;
- ensure that all incidents are reported internally and to the relevant statutory bodies;
- create an atmosphere of trust and respect that leads to openness in the reporting and investigation of incidents;
- ensure that the incident management process is efficient and effective;
- communicate the value of incident investigations as a tool for continuously improving Safety, Health and Environmental practices and performance;
- provide the resources and priority attention necessary for timely, thorough and comprehensive investigations to identify root causes; and
- ensure that the lessons learnt and recommendations for preventative and corrective actions (i.e. safety measures) are effectively and efficiently acted on, closed out and monitored to prevent any recurrence, including communicating those lessons learnt and findings to all who may benefit.

The detailed responsibilities of these managers are highlighted in the specific sections of this procedure, where relevant.

SHE personnel on site is responsible to assist and support these managers in fulfilling their duties by providing the necessary advise, expertise and administrative support where required and agreed to at the operating/business unit.

In most cases selected SHE personnel have access to the SAP EHS system and will be responsible to add and update information related to the incident on the SAP EHS system. The rights and responsibilities of these individuals will depend on the system roles that was assigned to them.

In case of incidents involving Roteck, Roshcon and RVS (RRR) employees, Eskom Enterprises will capture and manage the incident information until such time that RRR has access to the SAP EHS system. Once the SAP EHS system is available for RRR, incidents will be captured and managed on SAP EHS by RRR.

**Joint ventures:**

There may be occasions when Eskom and other organisations combine resources to carry out a joint venture. Unless otherwise stipulated, each company in the joint venture must be liable for its own contraventions and could, therefore, be prosecuted in its own name without reference to any of the other companies involved.

Where the work is to be managed jointly with a joint venture partner, the requirements imposed on the responsible manager in this procedure will also apply to the joint venture, unless the Joint Venture
contractual agreement specified in writing, the health and safety arrangements as required in terms of section 37.2 (if applicable) of the OHS Act

2.6 PROCESS FOR MONITORING

Compliance with the requirements of this procedure has to be audited by the Operating/Business Unit, Service Function and/or Strategic function at least annually as part of an internal review process. All records have to be audited by Assurance and Forensic or any person appointed by it to do so, on its behalf, at the discretion of Assurance and Forensic and at a frequency determined by it. The focus areas of such monitoring will include: Incident classification and reporting, and incident follow-up.

The Sustainability and Risk Strategic function is responsible for reporting the statistical data monthly and, for the purposes of the annual report, annually.

2.7 RELATED/SUPPORTING DOCUMENTS

This procedure supersedes the following documents as from 1 October 2011:

- 32-95, Revision 2: Procedure for the effective management of Safety, Health and Environmental related incidents

The following forms and record are referred to in this document:

- Flash report
- Incident safety report
- Case study

3. DOCUMENT CONTENT

3.1 CONDUCT EH&S INCIDENT MANAGEMENT

Incident management is an integral function of Risk Management and is aimed at reducing the impact of incidents, enabling corrective action to be taken and changed practice to be introduced. It also allows for learning from the incidents that have occurred to prevent similar incidents from happening or to mitigate the impact thereof. This includes the effective communicating, reporting, measurement, recording and investigation of incidents. Incident Management is not a mechanism for assigning blame or monitoring staff performance but rather a way of identifying and addressing weaknesses to reduce future risks.

In order to prevent injuries and environmental degradation the sites that foster an atmosphere of learning, openness and trust in the incident-reporting process must use the information from incident investigations as an opportunity to demonstrate duty of care, create a safe and healthy working environment, and to ensure control over all activities and/or sites including the environment.

In the event of any incident involving an employee, contractor or member of the public, the responsible manager must ensure that all legal aspects and the requirements of this procedure are adhered to as a minimum (i.e. reporting, notification, investigation, etc.). Responsible managers must ensure that they are familiar with these requirements and that they have put systems and processes in place to ensure compliance.

The aims and objectives of Incident Management are as follows:

- Reduce risk and prevent any recurrence of incidents
• Ensure incidents are managed effectively
• Ensure incidents are classified and recorded accurately
• Ensure prompt and appropriate investigation
• Promote the proactive use and value of near-miss occurrence reporting
• Improve the quality of safety and the work environment by learning from incidents, including near miss occurrences;
• Share incident information
• Report to external and internal stakeholders as appropriate
• Promote the analysis of trends and review practices accordingly
• Involve and communicate information to all stakeholders.

In the event of any incident involving an employee, contractor or member of the public, the responsible manager must ensure that all legal aspects and the requirements of this procedure are adhered to as a minimum (i.e. reporting, notification, investigation, etc.). Responsible managers must ensure that they are familiar with these requirements and that they have put systems and processes in place to ensure compliance.

The following steps describe the process elements as mapped in the Conduct EH&S Incident Management PCM. These process elements are described in detail in the remainder of the document. Although a linear process was mapped, it should be recognised that the sequence of these process steps could vary depending on the situation.

3.1.1 Identify Incident

• Identify or recognise that an incident occurred.
• There are two types of identification or recognition, i.e. direct observation and indirect observation.
  o Direct observation includes seeing the incident happening or being involved in the incident.
  o Indirect observation includes learning of the incident through e.g. complaints, audit findings, feedback or information provided by internal stakeholders (e.g. Eskom employees or contractor employees) or external stakeholders (e.g. authorities, members of the public, etc.)
• For occupational disease incidents direct observation refers to medical surveillance conducted by the Occupational Health Nurse Practitioner.
• To ensure identification of incidents, the responsible manager should provide employees with knowledge and skills as well as foster a culture and environment that motivates employees to immediately identify incidents as they occur (this requires an understanding of the definition of an “Incident”) and notify their responsible manager of such an incident (this requires the ability to describe the incident).

3.1.2 Initiate Emergency Response

• Emergency Response includes:
  o rescue operations,
  o ensuring that the scene is safe after the incident,
  o providing emergency care (i.e. first-aid treatment) to the injured to stabilise them, prevent further injury and obtaining medical assistance where necessary and/or applicable.
• In the event that the incident may result in significant pollution or degradation of the environment, reasonable measures are taken to prevent such pollution or environmental degradation from
occurring, continuing or recurring. (In order to prepare for proper emergency response, the responsible manager must assess the potential risks and develop a suitable response plan to address the risk. In event of an incident, emergency care must be provided in accordance with the emergency response plan for the area.)

- Detailed requirements for emergency planning and response are stipulated in the Eskom Emergency Planning Procedure (32-123), Operating/business unit specific procedures relating to emergency response, the Occupational Health Management processes as well as other site- or area-specific Emergency Response Procedures.

- This process comprises all the efforts that are targeted at directly addressing the impact of the incident itself. Ensuring the safety of all those involved in an incident response is an exceptionally important responsibility. All activities must be monitored to minimise risk.

### 3.1.3 Notify relevant parties

- All incidents must be reported, regardless of the severity of the incident.
- Notification is process of using a system as a means of delivering a message to a set of recipients.
- It requires all responsible managers to create a culture of reporting of incidents (including near-miss and repeat incidents) and therefore to promote the awareness of these requirements amongst staff. Initial information must be sufficient to enable notification to be given to the external and the internal stakeholders.
- If information is not readily available, the available information must be used.
- An updated notification must be distributed to all stakeholders, as more information becomes available.
- Internal stakeholders to be notified for Health and Safety related incidents include: Supervisor, Health and Safety (H&S) Representative, SH Representative, H&S Practitioner, SHE Practitioner, H&S Manager, Safety Manager, Occupational Hygiene Manager, Occupational Health Manager and Management. Internal stakeholders to be notified for Environmental related incidents include: Supervisor, Environmental Control Officer, Environmental Advisor and Environmental Manager. Other internal stakeholders will include the relevant authorities within the operating/business unit’s and/or the service and strategic functions e.g. the Sustainability Systems BU; the Eskom Assurance and Forensic Department (for all technical incidents); and Eskom Insurance Management Services (EIMS).
- In the case of incidents involving crime, violent crime and fire arms related incidents, the relevant Security department as well as the Eskom Security Risk Management department must be informed. In case of violent crime and fire arm related incidents, the South African Police will have to be informed. In case of fire arm related incidents, the Eskom Arsenal Manager must be informed.
- In the event that an employee temporarily working at another Eskom operating/business unit suffers an injury, the person responsible at that operating/business unit where the incident occurred shall report this incident to the injured employee’s own operating/business unit/responsible manager
- The responsible manager is responsible for reporting incidents involving Eskom vehicles to the Road Accident Fund through the OHS Act Annexure 1 report. (Form JG 21 was previously used for this purpose.)
• The responsible manager is responsible for reporting incidents that result in the hospitalisation (Intensive Care Unit or high care) of an Eskom or contractor employee to the direct supervisors and the relevant Divisional Executive(s), within one hour of receiving such information.

• External stakeholders to be notified for Health and Safety and Environmental related incidents will depend on what happened during the incident and its severity. External stakeholders are notified (as may be specified in relevant legislation).

• The Legal register should be consulted in determining the notification requirements of External stakeholders. Some of the acts and relevant requirements are summarised in the following table:

<table>
<thead>
<tr>
<th>Report to</th>
<th>Legislative requirement and format requirements</th>
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| Department of Health | According to the **Hazardous Substances Act, 1973** in the event of a Group IV hazardous substance in respect of which he/she has an authority,  
  - being lost, stolen or missing;  
  - being released or being reasonably suspected to have been released into the atmosphere as a gas, aerosol or otherwise;  
  - being dumped or otherwise released in such a way that, in his/her opinion, it could cause contamination.  
  **Notification requirements:**  
  Notify the Director-General and in the case of theft, the South African Police Service by telephone, telegram, facsimile or other similar rapid means, of the events in question forthwith, and such notification shall be followed up within seven days by a written report. |
| South African Police Service |  |
| Relevant provincial head of department or municipality | According to the **National Environmental Management Act, 1998** in the event of an unexpected sudden occurrence, including a major emission, fire or explosion leading to serious danger to the public or potentially serious pollution of or detriment to the environment, whether immediate or delayed, report to  
  - the Director-General;  
  - the South African Police Service and the relevant fire prevention service;  
  - the relevant provincial head of department or municipality; and  
  - all persons whose health may be affected by the incident.  
  **Notification requirements:**  
  The responsible person or, where the incident occurred in the course of that person's employment, his or her employer must forthwith after knowledge of the incident, report through the most effective means reasonably available:  
  - the nature of the incident;  
  - any risks posed by the incident to public health, safety and property;  
  - the toxicity of substances or by-products released by the incident; and  
  - any steps that should be taken in order to avoid or minimise the effects of the incident on public health and the environment. |
<p>| All persons whose health may be affected by the incident |  |
| Fire Protection Officer | According to the <strong>National Veld and Forest Fire Act, 1998</strong>, any owner who has reason to believe that a fire on his or her land or the land of an adjoining owner may |</p>
<table>
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<th>Report to</th>
<th>Legislative requirement and format requirements</th>
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| Fire Protection Association | endanger life, property or the environment, must immediately take all reasonable steps to notify  
  - the fire protection officer or, failing him/her, any member of the executive committee of the fire protection association, if one exists for the area; and  
  - the owners of adjoining land.  
Whenever a fire spreads or may spread across a boundary of a fire protection association, the fire protection officer of the premises/land must inform the fire protection officer of the area to which the fire spreads or may spread. |
| Owners of adjoining land | According to the National Water Act, 1998, the responsible person, any other person involved in the incident or any other person with knowledge of the incident must, as soon as reasonably practicable after obtaining knowledge of the incident, report it to  
  - the Department of Water Affairs and Forestry;  
  - the South African Police Service or the relevant fire department; or  
  - the relevant catchment’s management agency.  
Within 14 days after the date of an incident contemplated in paragraph I inform the Department in writing of the measures taken to correct and prevent a recurrence of such incident. |
| Department of Water Affairs and Forestry | According to the Occupational Health and Safety Act, 1993 and the Compensation for Occupational Injuries and Diseases Act, 1993, the following applies:  
  For Occupational Diseases/Illnesses  
  - Sections 25 of the OHS Act and General Administrative Regulation 8 in the case of occupational diseases, and General Administrative Regulation 9 of the OHS Act in the case of all incidents excluding first-aid treatment cases.  
  - COID Act, in the case of all accidents.  
Notification requirements:  
In the case of all occupational diseases/illnesses, the medical practitioner must inform the affected person and the employer. The employer must inform the Department of Labour (WCC) of the details of the occupational disease/illness.  
Employer’s report of an incident in terms of the COID Act (WCL 2) or TR2 Card for telephonic reporting OR Employer’s report of an occupational disease in terms of the COID Act (WCL 1).  
For other incidents:  
- Sections 24 of the OHS Act in the case of serious incidents and occupational diseases, as well as the incidents described in the General Machinery Regulations 7 on Reporting of incidents in connection with machinery.  
- COID Act in the case of all accidents.  
Notification requirements:  
Annexure 1 form (as required in the OHS Act, General Administrative Regulations for Recording and Investigation of Incidents).  
In the case of all injuries, the employer must inform the Department of Labour (WCC) of the details of the injury. |
<p>| South African Police Service |  |
| Relevant fire department |  |
| Relevant catchment’s management agency |  |
| Department of Labour, including WCC |  |</p>
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<tr>
<th>Report to</th>
<th>Legislative requirement and format requirements</th>
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<tbody>
<tr>
<td>Department of Labour</td>
<td>According to the OHS Act, Explosives Regulations, if any incident involving explosives occurs, the explosives manager must be informed and he/she must by means of telephone, facsimile or any other method of communication inform the Chief Inspector, and shall confirm this report in writing, stating full particulars of the incident within seven days of the incident. Where there is a possibility of risk to the health and safety of persons, whether or not persons or property sustained injury or damage as a result, the Chief Inspector must be informed in writing every month of incidents involving the accidental ignition or detonation of explosives or a danger of such accidental ignition or detonation. These reports are named: “unusual occurrences”.</td>
</tr>
<tr>
<td>South African Police Service’s Chief Inspector of Explosives</td>
<td>According to the Explosives Act, 2003, the licensed or authorised possessor of the explosives has to report the loss or theft of explosives.</td>
</tr>
<tr>
<td>Principal Inspector of Mines of the Department of Minerals and Energy (DME)</td>
<td>According to the Mine Health and Safety Act, 1996, Regulations, Chapter 23 on Reporting of Accidents and Dangerous Occurrences, the employer must report accidents to the Principal Inspector of Mines. Depending on the cause and severity of the incident, it must be reported within a prescribed time period and on prescribed forms. The employer should also report certain dangerous occurrences, as described in the Act.</td>
</tr>
<tr>
<td>National Nuclear Regulator</td>
<td>According to the National Nuclear Regulator Act, 1999, if a nuclear accident occurs in connection with a nuclear installation, nuclear vessel or action, the holder of the nuclear authorisation in question must immediately report it to the Regulator and to any other person described in that nuclear authorisation. If a nuclear incident occurs on a site, the holder of the nuclear authorisation in question must report it to the Regulator within the period stipulated in that authorisation.</td>
</tr>
<tr>
<td>Department of Minerals and Energy</td>
<td>According to the Nuclear Energy Act, 1999, any person who, by virtue of information obtained in the course of any prospecting or mining operations or carrying out any scientific investigation or chemical or metallurgical process, or otherwise, has reason to believe that any source material (i.e. any substance containing uranium or thorium) is present at any place, must, within 30 days after having developed the belief, submit to the Minister or any person designated by the Minister for that purpose, a written report on the matter, containing full particulars of the grounds on which the belief is based and of the place where the material may be present.</td>
</tr>
<tr>
<td>Department of Transport</td>
<td>According to the National Road Traffic Act, 1996, the driver of a vehicle on a public road at the time when such vehicle is involved in or contributes to any accident in which any other person is killed or injured or suffers damage in respect of any property or animal shall report the details pertaining to the incident to: a traffic officer at the scene of the accident, any police officer at a police station; or any office set aside by a competent authority for use by a traffic officer. Notification requirements: The incident must be reported in any case within 24 hours after the occurrence of such accident, or as soon as is reasonably practicable if he/she is incapable of doing so by reason of injuries sustained by him/her in the accident. The information that must be supplied is stipulated in the Act.</td>
</tr>
</tbody>
</table>
| South African Police Service | According to the National Road Traffic Act, 1996 and SANS 10232, on Transport of }
Report to | Legislative requirement and format requirements
---|---
Transport, Dangerous Goods Inspectorate | **dangerous goods – Emergency information systems**, a written report shall be completed and signed by the First Responder, and forwarded to the Department of Transport, Dangerous Goods Inspectorate within 24 hours of the incident.

Department of Transport | According to the **Aviation Act, 1962**, in the event of any accident arising out of or in the course of air navigation and occurring in or over the Republic or the territorial waters thereof, or, in the case of South African aircraft, wheresoever they may be, the Minister may appoint one or more persons as a board of inquiry, known as an accident inquiry board, to make an investigation into the cause of and responsibility for the accident and report to him thereon. This implies that such incident should be reported to the Department of Transport.

Department of Transport | According to the **Marine Pollution (Control and Civil Liability) Act, 1981**, when any harmful substance has been discharged from a ship, tanker or offshore installation the master of such ship, tanker or offshore installation, or any member of the crew of such ship or tanker or of the staff employed in connection with such offshore installation, designated by such master, shall forthwith by the quickest means of communication available report the fact that such discharge has taken place to the principal officer at the port in the Republic nearest to where such ship, tanker or offshore installation is. If, while it is within the prohibited area, a ship or a tanker sustains any damage, whether to its hull, equipment or machinery, which causes, or creates the likelihood of, a discharge of any harmful substance from such ship or tanker, or having sustained such damage, enters the prohibited area in such damaged condition, this incident should also be reported.

South African Police Service | According to the **Inquest Act, 1959**, any person who has reason to believe that any other person has died and that death was due to other than natural causes, shall as soon as possible report accordingly to a policeman, unless he has reason to believe that a report has been or will be made by any other person.

Department of Public Enterprises | Incidents that result in multiple injuries and interruption of supply should be reported to the Department of Public Enterprises.

- Temporary work at another Eskom operating/business unit: In the event that
  - an employee temporarily working at another Eskom operating/business unit, suffers an injury or a disease/illness;
  - incidents occur after hours while the employee is away from the regular/normal workplace on a business trip to another operating/business unit for one working day (but is not seconded or transferred);
  - incidents occur while an employee is away from the regular/normal workplace on a business trip for more than one working day (but not seconded or transferred) to another operating/business unit, head office or any other site, and while involved in work;
  - incidents that involve an employee temporarily transferred or seconded to another operating/business unit within Eskom and its subsidiaries (excluding Enterprises (Pty) Ltd) or where his/her supervisory environment is altered for whatever reason);

the following shall apply:
  - The person responsible at that operating/business unit where the incident occurred shall report this incident to: the Department of Labour; the Sustainability Systems BU; and the affected employee’s original operating/business unit.
3.1.3.1 Inform Supervisor & EH&S Rep

- Once an employee identifies that an incident has occurred, he/she must immediately notify his/her supervisor of such an incident, regardless of its severity, so that an appropriate and timely response can be made, an initial evaluation conducted, and an incident classification made.

- The employee also informs the environmental management and/or health and safety representative of such incident.

- All Occupational Disease/ illness are reported to the supervisor and other stakeholders by the Eskom occupational health staff, external medical practitioners, Medical Centre or the Occupational Health Nurse Practitioner, in compliance with Eskom’s and legal requirements and keep record of such incidents.

3.1.3.2 Capture initial notification

- Initial reports are brief and limited to an outline of the known facts (e.g. date, time, place, what happened and the immediate actions taken), as stipulated in the minimum requirements for initial notification report.

- Eskom’s occupational health staff or external medical practitioners shall, where reasonably practicable, be responsible for initially assessing the injury sustained and/or disease/illness contracted by a person in Eskom’s employ, arising out of and/or in the course of his/her employment.
- Eskom’s environmental practitioner shall, where reasonably practicable, be responsible for initially assessing the environmental damage arising out of the incident.
- This information should, where available, be included in the initial reports.

3.1.3.3 Generate notification report

- The responsible manager is responsible to ensure that the necessary documentation (e.g. Initial Notification Report and WCL form) is generated immediately or as soon as is practicable, before the end of the working day, and communicated to all the relevant stakeholders.
- For occupational disease the report will be generated within 24 hours after the disease have been confirmed by a specialist.

3.1.3.4 Inform Line Manager & SHE officer

- Line Management as well as the relevant SHE officers are informed of the incident.

3.1.3.5 Complete Incident notification

- All Incident information received via the initial notification report are confirmed and captured onto the SAP EHS system.
- A SAP EHS system generated flash report is sent immediately or within 24 hours after the incident as internal incident notification to internal stakeholders (e.g. the relevant managers within the operating/business unit’s defined structure, relevant individuals within the Eskom Service and Strategic functions (e.g. the Sustainability Systems BU, Eskom Assurance and Forensic Department (for all technical incidents), Eskom Insurance Management Services (EIMS), etc.).
- Once the flash report has been communicated, the status of the incident on the SAP EHS system must be changed from Created to In process.
- The recipients of the flash report will depend on the type of incident and is described in this procedure.
- All incidents resulting or having the potential to result in employee, contractor or public fatalities, as well as any contact incidents, or serious incidents as defined in section 24 (1) and occupational diseases as defined in section 25 of the OHS Act or as stipulated by the requirements of the Prioritisation stage must be communicated to the Sustainability Systems BU.
- Environmental incidents must be reported as per the Environmental Liaison Committee (ELC) Performance Indicator Reporting Procedure (32-249).
- The minimum information that must be contained in a flash report is embedded in the design of the flash report available in the SAP EHS system. All fields, where information is available, must be filled in on the SAP EHS system, to ensure that the flash report comply with the CARAT principles.
- Note: an incident is only regarded as being reported internally if a flash report is produced from the SAP EHS system and proof is available that it had been distributed to all stakeholders.

Note: The initial notification report and the first version of the SAP EHS system generated flash report is scanned and saved on DMS within SAP.

3.1.3.6 Report fatality

- The Operating/Business Unit manager or delegate informs the relevant Divisional Executive, Divisional SHE Manager as well Sustainability Systems BU Occupational Health and Safety Manager of such a case immediately for a fatality or potential fatality (e.g. where an employee or contractor employee has been injured to an extent that the injured is admitted to ICU).
- The Operating/Business Unit manager or delegate supplies the information relating to the circumstances as well as the severity of the injuries.
• Fatalities are also reported to the South African Police Services, the Principal Inspector of Mines (if site operates under the Mine Health and Safety Act) and the Department of Labour (if site operates under the Occupational Health and Safety Act).

• In the event of a work-related fatality that occurs over a weekend or public holiday, and it is not possible to call the Department of Labour, the telephonic contact shall be substituted by a facsimile or e-mail and followed up by a phone call on first working day.

3.1.3.7 Complete WCL.1 Documentation

• Eskom’s occupational health staff or external medical practitioners are responsible for reporting injuries and/or occupational diseases/illnesses, in compliance with Eskom’s and legal requirements and keep record of such incidents.

• The applicable Human Resources Department or any other person designated reports all incidents where any costs were incurred to the office of the Department of Labour (as required by the COID Act) and ensure that all correspondence, including the claim number and medical information, is kept on the employee’s personal file.

• Medical information must be dealt with as “Confidential” at all times.

• For injuries and fatalities: The responsible manager is responsible to ensure that the necessary documentation (e.g. WCL form) is generated immediately or as soon as is practicable, before the end of the working day and communicated.

• For an injury, the applicable WCL 2 forms, as included in the first aid kits, must be completed immediately to accompany the injured in a case of medical treatment and reporting to the WCC.

• If it is not reasonably practicable to complete the form immediately, the onus is on the supervisor to complete it within 24 hours.

• In the case where an Eskom or contractor employee sustains a personal injury which can be managed at an Eskom medical centre for a period of 2 calendar days or less, (excluding date of incident) notification to WCC is not required.

• Responsible manager ensure keeping of records of all medical treatment and to include into medical statistical information.

• If the injured person is treated after two calendar days (excluding date of incident) and a referral is warranted, notification to WCC is required.

• This includes completion of a WCL 2 form and First Medical Report (WCL 4) (Note: the first medical report is completed by and obtained from the medical doctor).

• If a referral is not warranted such a case must be closed with completed WCL 2 and WCL 4 and the medical information must be included in the file and signed off by the Eskom Medical Doctor.

• For Occupational Diseases/illnesses:
  o All identified occupational diseases/illness that need specialist confirmation, must be referred to the particular specialist within 30 days of notification.
  o An responsible manager must, within seven days of having received confirmation of the disease/illness, report the disease/illness to the Compensation Commissioner and the Sustainability Systems BU, notwithstanding the possibility that it might be a non-work-related disease/illness.
  o Where the evidence reviewed in an incident investigation reveals that the disease/illness did not arise out of or in the course of employment, the Corporate Functions and the Compensation Commissioner must be formally informed accordingly, and supporting evidence must be provided.
  o This will, in the case of the Compensation Commissioner, be used in order to prevent payments to dependants or injured parties not entitled to compensation.
  o Any medical practitioner who examines or treats a person for a disease/illness described in the Third Schedule to the COID Act or any other disease/illness which he/she believes arose out of that person's employment, shall within the prescribed period and in the
prescribed manner, report the case to the person’s responsible manager and to the chief inspector, and inform the person accordingly.

### 3.1.3.8 Report to Workmans Compensation Commissioner

- Report the claim to the Workmans Compensation Commissioner after an injury has occurred.
- Responsible manager to report to Workmen’s Compensation Commissioner (WCC): The Operating/Business Unit where the injured employee is employed must submit the report to the WCC, including cases where:
  - an incident occurred on site at a training facility, while the employee was undergoing training at an Eskom training site or any other site internal to Eskom, but the documentation must be completed by the Operating/Business Unit where the incident occurred (if reasonably practicable) and forwarded to the original OU/BU for submission to the WCC;
  - an incident occurred while the employee was undergoing training at training sites external to Eskom, though the training organisation (where reasonably practicable) must assist with completing the documentation for submission to the WCC;
  - an incident occurred which involved an employee working from home (Telework) on a temporary or permanent basis;
  - an incident occurred which involved an employee while he/she was working as part of a joint venture with other BUs or external companies;
  - incidents (including occupational diseases/illnesses) occurred/were caused at other BUs;
  - injuries arose from teambuilding exercises (although the COID Act may not cover all such injuries, these must be reported to the WCC); or
  - an occupational disease/illness was contracted by an employee while employed by or on behalf of the employer responsible for the affected employee.
- Note: In a case where a work-related incident occurred and an employee made use of his/her private medical aid for treatment, the responsible manager must ensure that the incident is recorded correctly and obtain the first medical report for reporting to the WCC.

### 3.1.3.9 File WCL.2 & 4 forms

- All correspondence and supporting documentation, including the claim number and medical information, must be kept on the employee’s personal file.
- Medical information must be dealt with as “Confidential” at all times.

### 3.1.3.10 Quality review of documentation

Review of all documents produced and received to date to ensure completeness and accuracy of relevant information to enable and inform an investigation of the incident.

### 3.1.3.11 Report to Department of labour

Department of Labour should be informed of the incident as prescribed in applicable legislation.

### 3.1.3.12 Refer to Legal Register and report to relevant stakeholders

- The responsible manager is responsible to notify the relevant external stakeholders (i.e. as may be regulated, regulatory bodies as prescribed in legislation) of the incident, as soon as is reasonably practicable or within the specified time frames prescribed by legislation.
- These requirements include, but are not limited to, the requirements stipulated in Table B.2 of this procedure.
- (Notes: In terms of Eskom’s permits, licences and the environmental authorisations granted to Eskom, there may be additional requirements for reporting.)
• Specific legislative requirements as determined by the legal register that pertain to the activities of the responsible manager have to be consulted to ensure that all notification requirements to external stakeholders are covered.

• In terms of Section 30 of the National Environmental Management Act (NEMA) certain environmental incidents are required to be reported to the authorities. The act makes reference to broad types of emergency incidents including: Major emissions; Fires; Explosions; and Incidents involving hazardous substances.

• In terms of section 30(1)(a) of NEMA, an “incident” means an unexpected sudden occurrence, including a major emission, fire or explosion leading to serious danger to the public or potentially serious pollution of or detriment to the environment, whether immediate or delayed.

• All notifications in terms of section 30 of NEMA shall be authorised by the Divisional Environmental Manager.

• An emergency incident report shall be submitted within 14 days to the relevant authority detailing the nature of incident, substances involved and its effects, initial measures taken to minimise impacts, causes of the incident, measures taken and to be taken to avoid a recurrence of such incident.

• A guideline template provided by the authority can also be completed and submitted.

3.1.4 Respond to Incident

• In this process the safety of employees, visitors and the surrounding community and the protection of the environment is the responsible managers first priority; however, the responsible manager must take steps to preserve physical items, computer data and other relevant information until the incident investigation begins.

• The responsible manager is responsible to assess the potential risks to people and the environment and develop a suitable response plan to address the risk, should an incident occur.

• In the case of incidents involving crime, violent crime and fire arms related incidents, the relevant Security department must be informed and take responsibility for the required “Response” actions.

• The integral actions that form part of “Response” include the following:
  o Barricading the area,
  o prevention of further environmental pollution / degradation,
  o Collection and preservation of evidence,
  o Supporting staff (Linked to the Eskom Employee Assistance Programme which is managed through the HR Health and Wellness group) and
  o Recovery (Linked to Plant Maintenance) include environmental rehabilitation / restoration.

• Barricading the area:
  o The responsible manager is responsible for ensuring that the scene of an incident is not disturbed and to limit access to prevent further risk to people and the environment, in the event of an incident in which a person died, or was injured so seriously that he/she is likely to die, or suffered the loss of a limb or part of a limb.
  o This activity assists with the preservation of evidence.
  o No person shall, without the consent of an inspector of the Department of Labour, disturb the site at which the incident occurred or remove any article or substance involved in the incident there from: Provided that such action may be taken as is necessary –
    o to prevent a further incident;
    o to remove the injured or dead;
    o or to rescue persons from danger.
  o The responsible manager is furthermore responsible for containing any dangerous substances that might have been spilled.
• Prevention of further environmental pollution/degradation
  o Immediate action following an incident that could result in pollution or degradations to the environment (e.g. oil, chemical, fuel spill) steps must be taken to ensure the material is contained so as not to spread further.
  o Oil/chemical spill kits used to undertake initial clean-up of site.

• Collection and preservation of evidence:
  o Immediate actions following an incident at the scene of an incident can disturb or potentially remove vital physical items and information important to the investigation.
  o The responsible manager is responsible for ensuring that complete and correct evidence and records is identified, collected, recorded, obtained, archived, stored and preserved to support the investigation of the incident.
  o The responsible manager must take steps to preserve physical items, computer data and other relevant information until the incident investigation begins.
  o No employee should be allowed to remove, disturb or tamper with any evidence until authorised to do so by the responsible manager or regulatory authority.
  o No person may distribute any evidence to anyone not involved in the investigation or to members of the general public, unless it is distributed with the permission of the applicable responsible manager and the Eskom Legal Department.

• The responsible manager is responsible for ensuring that all employees are aware of the prohibitions on removing, tampering and distribution of evidence
• Evidence (for most incidents) could include:
  o A site visit and visual inspection (where applicable)
  o Collection of information about the actual working hours of an individual
  o Collection and review of information about any medication an individual used or any treatment an individual received prior to the incident, as well as the extent of the injuries sustained
  o Sick notes, first medical reports, progress reports, final medical reports as well as resumption reports, if and when applicable
  o Collection of any information pertaining to personal factor(s) which may have had an influence on the incident
  o Occupational hygiene monitoring information/results (where applicable)
  o A review of general occupational health issues
  o Identification of the exact location of the incident
  o Sketches or photographs of the site, indicating the position(s) of equipment, the route and design of a power line, the clearances of conductors
  o Measurements and records of e.g. line clearances and width of road
  o Interviews, reviews or formal statements by witnesses and/or responsible persons, including names, contact details and the time of the incident. (Note: the individuals’ right to avoid self-incrimination and victimisation must be acknowledged and explained to them)
  o On-board computer reports (where applicable)
  o Weather reports or any other information on the prevailing weather conditions at the time of the incident, e.g. lightning activity, wind speed, direction, etc.
  o All equipment, machinery or actual affected plant that was directly involved in the incident or contributed to the incident, e.g. both pieces of a broken pole; a cut stay-wire, broken insulators, etc.
  o A list of all chemicals or dangerous substances on site (where applicable)
  o Soil and/or water samples in the event of pollution or potential pollution
  o Material Safety Data Sheets (where applicable)

- Line inspection reports or routine line patrol sheets (these must cover both the annual routine patrols and major ten-yearly inspections of power lines)
- Internal communication with regard to the incident
- Eskom call centre records (where applicable). (Copies of relevant tapes must be made with typed transcripts)
- Copies of way leave or servitude agreements (where applicable)
- A decision with regard to further investigation(s): the reason(s) or motivation for this decision on whether or not to investigate the incident further must be recorded in a report
- Pictures and/or videos of aspects and objects pertaining to the incident. These aspects and objects could include one or more of the following:
  - The entire area surrounding the point of the incident
  - The state of the power line or other relevant item of the plant involved in the incident
  - The surrounding area depicting relevant environmental factors; the proximity of relevant features e.g. electrical installations, houses, roads, footpaths, etc.
  - The exact point on the conductor where contact was made, burn or flash marks
  - Warning signs in the area
  - Tags on poles depicting pole numbers, dates of manufacture and inspection tags
- Any evidence required by a criminal investigating officer (in the case of crime related incidents and/or where a firearm was discharged).

- Additional evidence and documentation that must be obtained and kept where a minor was involved, include:
  - Details of the age of the minor at the time of the incident
  - Details of all schools attended by the minor
  - Comprehensive information about public safety and the education conducted at such schools and in the community in general, for example at open days, community centres, etc. (where applicable)
  - The name of the person under whose supervision the minor was at the time of the incident and the contact details of such person (where applicable)
  - Details of all safety representatives or customer services representatives involved in such public safety and in the presentations
  - Samples must be collected of all educational and safety material used or distributed, e.g. posters, pamphlets or promotional materials.

- Where a minor was involved in an incident with the knowledge of or under the supervision of any employee, the following additional information and documentation must be obtained and preserved:
  - The outcome of the risk assessment to determine whether the workplace is healthy and safe for minors (all age groups).
  - The steps or measures taken by the responsible manager to ensure the health and safety of minors and the effectiveness of these steps and measures.

- Additional evidence must be kept in case of a fire-related incident. This include:
  - All information relating to possible witnesses, including farm workers, fire fighters or emergency employees, etc.
  - If hot work was performed, the hot work permit.
  - Photographs depicting the following:
    - The point of ignition, spread of the fire and burn pattern
    - The surrounding areas, including affected farmland, installations, plantations, etc.
    - Any firebreaks that may have been created by the land owner, or the lack thereof
    - In cases where conductor clashing caused a fire, the precise point of the clashing or arcing indicating the arcing marks or pit marks, the fire damage to poles, the point of ignition in relation to the electrical installation, etc.
- Any possible alternative source of ignition, for example charcoal ovens or cooking or heating fires burning in the vicinity
- Spread of any related potentially hazardous material (e.g. oil)
- All burning of and damage to Eskom infrastructure, particularly wooden poles
- Aerial photographs of the burn pattern, if possible.

- Immediate steps can be taken to preserve evidence at the scene of the incident. No person shall without the consent of an inspector (Department of Labour and/or South African Police Service) disturb the site at which the incident occurred or remove any article or substance involved in an incident therefore, provided that such action may be taken as is necessary to prevent a further incident, to remove the injured or dead, or to rescue persons from danger.
- The responsible manager is responsible for preserving the evidence as required in section 24(2) of the OHS Act and paragraph 28 of the National Key Points Directive, where applicable.
- Steps that must be taken to prevent disturbance or tampering with evidence include the following:
  - Barricading and securing the scene, including protecting it from the weather
  - Collecting, identifying and properly storing (i.e. preserving) physical items and data records, with the consent of the inspector (Department of Labour and/or South African Police Service)
  - Photographing or a video recording of the incident scene and equipment as necessary (record the date, time and name of the person who took the photograph and ensure that the original image is archived)
  - Documenting interviews with key employees.

- Preserving the incident scene and all potentially relevant physical items, computer data and other information is especially critical if an incident is serious enough to warrant investigation by external stakeholders (i.e. regulatory bodies as prescribed in legislation).
- Failure to do so could subject the responsible individuals to charges of obstruction of justice.
- Later steps must be taken to preserve and protect evidence, as all the effort expended in investigating an incident and collecting evidence would be futile and wasted if the evidence is not properly and effectively preserved and protected (e.g. to prevent tampering with or loss of evidence). It makes no sense to collect vital evidence if, when a civil action is instituted and the matter comes to trial, sometimes a few years later, that evidence is no longer available for use at the trial.
- Evidence must be preserved and protected by keeping it in safe custody. The following steps must be taken to protect evidence:
  - All physical evidence e.g. insulators, clamps, stay wires, broken ends of conductors, links or even the ends of the pole stumps closest to where the pole fractured, must be properly and securely labelled and documented.
  - The labels must have all the relevant information, including the precise location of that piece of evidence prior to or at the time of the incident, the date of collection of the evidence, the date of the incident and the name of the person who collected it.
  - The evidence must be placed in a secure store under the control of a designated responsible person.
  - The store must be properly secured and managed, to avoid situations where evidence is disposed of when clean-outs occur or maintenance work and painting take place.
  - All documentary evidence and photographs must be treated in a similar manner, and where possible, copies sent to the Legal or Insurance Management Services Departments.
- The investigation committee has the authority to make decisions about evidence and must determine the manner in which and the time period within which the evidence must be kept, at the conclusion of the investigation.
- Relevant evidence e.g. photographs, documentation submitted to COID (where relevant) and other types of documents can be scanned, saved on the SAP Document Management system and linked to the particular incident captured on the SAP EHS system.
The following is a summary of the recommended minimum time period that some of the evidence must be preserved. However, this is a guideline and is subject to the final decision made by the investigation committee.

<table>
<thead>
<tr>
<th>Evidence type</th>
<th>Recommended time period to keep evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annexure 1 (as required by the OHS Act)</td>
<td>3 years</td>
</tr>
<tr>
<td>Photos and video material after incident</td>
<td>3 years</td>
</tr>
<tr>
<td>Safety representatives’ inspection reports</td>
<td>3 years</td>
</tr>
<tr>
<td>Minutes of safety meetings</td>
<td>3 years</td>
</tr>
<tr>
<td>Public incidents involving a minor</td>
<td>Retained until the minor involved in the incident turns the age of maturity, plus an additional 3 years</td>
</tr>
<tr>
<td>Occupational Hygiene monitoring results e.g. assessments and air monitoring</td>
<td>Minimum of 30 years</td>
</tr>
<tr>
<td>Occupational Hygiene tests of engineering control measures</td>
<td>At least 3 years</td>
</tr>
<tr>
<td>Medical information</td>
<td>Retained for the life of the project or 40 years</td>
</tr>
<tr>
<td>• Biological monitoring</td>
<td>• Minimum of 30 years</td>
</tr>
<tr>
<td>• Medical surveillance records</td>
<td>• Minimum of 30 years</td>
</tr>
<tr>
<td>Exit medical reports (including resignations and pensioners).</td>
<td>Minimum of 30 years</td>
</tr>
</tbody>
</table>

The following scenarios might require the initiation of an Eskom forensic process/investigation:
- When there is reason to believe that tampering occurred;
- Where the root cause of the incident is not obvious; or
- Where there is reason to believe that witnesses are either protecting one another, withholding information or not telling the whole truth.

As soon as any of the above is suspected, the Eskom Forensic Department must be contacted and involved immediately.

Supporting staff:
- Employees involved in an incident must be offered an appropriate level of support. This may include both physical and psychological support, offered by internal or external Eskom Employee Assistance Programme service providers.
- All information about the injured or deceased, such as personal details, injuries, hospitalisation and first-aid treatment, must be ascertained immediately.
- Family and dependants of the injured or deceased must be contacted without delay and actively supported.
- The Sustainability Systems BU, Legal and Human Resources Departments must provide the necessary guidance in this regard if and when required.
- Care must be taken not to prejudice Eskom in terms of any possible liability claims.
- The affected parties or dependants must be treated with respect, care and concern but no discussion that may have legal repercussions may be entered into.
- The Eskom Legal Department and the Sustainability Systems BU must be asked for advice concerning discussions and/or any compensation to third parties to prevent any action by Eskom from being construed as an admission of guilt.
In incidents that involved member(s) of the public, regardless of the severity of the injury to the person(s) and that may result in liability claims, i.e. electrical contact and other incidents, including motor vehicle accidents, the following applies:

- Where Eskom is not liable and has no obligation to indemnify the affected parties, Eskom staff members are responsible for interfacing with the affected parties in such a way that Eskom’s position is understood by those involved and that the interface contributes positively toward the portrayal of Eskom as a responsible utility; and
- to prevent any Eskom action from being construed as an admission of guilt, the Sustainability Systems BU or Legal BU must be approached for advice concerning discussions with and/or payments made to third parties, for example funeral expenses.

**Recovery:**
- Recovery focuses on returning organisations and their community to their baseline levels of functioning, and therefore denotes the period that extends from demobilising until return to pre-incident function and capacity.
- It includes, in addition, the full rehabilitation of employees and equipment, full re-supply and reorganisation of equipment and supplies to a baseline readiness state and baseline non-disaster operations.
- It also includes the after-action assessment process. That consists of the collection and objective analysis of pertinent response information to produce the lessons learnt, and an incorporation process consisting of improvements in procedures, assignments, equipment, training and helping employees to attain organisational learning.
- This also includes, when significant pollution or degradation of the environment occurred, rectifying such pollution or rehabilitating the degradation of the environment.
- It is advisable for the responsible manager to appoint, in writing, a recovery manager after the incident has been investigated, in order to facilitate the return of activities to normal, while ensuring the health and safety of all parties and the rehabilitation of the environment during the recovery exercise.
- The requirements in terms of Response and Recovery are described in more detail in the Eskom Emergency Planning Procedure (32-123). The responsible manager is responsible for familiarising himself/herself with these requirements and for addressing these as part of the emergency plan. Refer to 32-123 and the Occupational Health Management Process.

### 3.1.5 Record & Classify Incident

- All incidents, including near miss incidents are classified and recorded according to the CARAT principles in the SAP EHS system. The SAP EHS system is the only acceptable system for the capturing of incident information.
- Classification and recording allow for comparison of incidents, trending and analysis and the development of strategies to prevent, detect and manage incidents.

**Classification**

Classification is defined as a process in which incident information is placed into groups, based on quantitative information about one or more inherent characteristics (e.g. variables, characters, etc.) and in relation to a set of previously labelled categories or a taxonomy (i.e. kinds of things that are arranged frequently in a hierarchical structure, typically related by subtype-super type relationships, also called parent-child relationships.) This includes classification as a contravention of legislation.

- An incident must be classified according to the parameters ascribed to the incident.
• Where clarification is required on the interpretation of rules and examples for the classification of incidents, or in order to resolve disputes, the responsible manager can:
  o Send all relevant information to the Sustainability Systems BU, Occupational Health and Safety Manager for review.
  o The Sustainability Systems BU will evaluate information and provide direction.
  o If an appeal against a decision has been lodged or complex situations have to be clarified, this must be escalated to the ELC or an ad hoc OHSLC subcommittee to provide direction.
  o All decisions have to be recorded in writing and the process must be auditable.

• Where clarification is required regarding the classification of incidents or injuries, the following information must be submitted in writing to the Sustainability Systems BU’s Manager:
  o A description of the type of incident
  o A brief description of the case
  o A summary of the sequence of events
  o Copies of the investigation report
  o Copies of statements
  o Copies of medical certificates
  o Medical history describing pre-existing conditions
  o Supporting documentation, including contracts, photos, etc.

• The ELC or ad hoc OHSLC subcommittee is responsible for reviewing any appeals against a decision by the Sustainability Systems BU or for clarifying complex situations, based on applicable environmental legislation or the requirements of the OHS Act and/or this procedure. This subcommittee could consist of the following:
  o A responsible person from the Sustainability Systems BU
  o A representative of at least one of the other divisions who is also an ELC or OHSLC member
  o A representative of the responsible manager (operating/business unit) submitting the case
  o A member from Assurance and Forensic
  o A legal person (if required as determined by the chairperson)
  o Any specialist who may be identified by the chairperson, for example a medical practitioner (as determined by the chairperson, depending on the case).

• The subcommittee should meet at any time when cases are submitted, with the aim of making a final decision on a case as soon as possible. The committee could ask for additional information.

• The decision of the subcommittee is final and must be recorded in writing.

• Some of the parameters for classification includes:

<table>
<thead>
<tr>
<th>Classification parameter</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trigger</td>
<td>Incident, Inspection, Observation, Risk Assessment, Complaint/Suggestion, Audit?</td>
</tr>
<tr>
<td>Type of Relationship with the person</td>
<td>What was the type of relationship with the person at the time of the incident? The aim of classifying the type of relationship with the person is to determine if the person(s) involved in the incident was (were) an Eskom Employee(s), Contractor employee(s) or member(s) of the public</td>
</tr>
<tr>
<td>Work-relatedness</td>
<td>Was this a work-related incident or not? (Y/N) i.e. was the person busy performing activities relating to his/her work at the time of the incident? The aim of classifying the work status is to determine if the incident arose out of or in connection with the person at work. In order to create a culture of duty of care all Eskom related events and activities will be regarded as work</td>
</tr>
<tr>
<td>Related unless it is stipulated otherwise in the document</td>
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</tr>
<tr>
<td>----------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Responsible employer</td>
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</tr>
<tr>
<td>Who was the person working for at the time of the incident?</td>
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<tr>
<td>The purpose of classifying the responsible employer is to determine with which legal entity the employee(s) involved in an incident had a contractual relationship.</td>
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<tr>
<td>As stated in the definition of an employee, an employee generally has only one employer at any time, which is the employer with whom he/she is in a contractual relationship of employment, even when he/she performs his/her contractual obligations for some other employer.</td>
<td></td>
</tr>
<tr>
<td>In the case of an Eskom employee, an incident must therefore be recorded by the operating/business unit that has/had the contractual agreement with the employee. In the case of a contractor employee, an incident must be recorded by the operating/business unit that had the contractual agreement with the contractor. In the case of a member of the public, an incident must be recorded by the operating/business unit whose employee or contractor employee was involved in the incident or the Customer Services Department of that area.</td>
<td></td>
</tr>
<tr>
<td>Immediate cause of the incident</td>
<td></td>
</tr>
<tr>
<td>What were the apparent immediate causes of the incident?</td>
<td></td>
</tr>
<tr>
<td>The aim of this classification is to refer to the cause(s) of the incident. This includes immediate/direct cause(s).</td>
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</tr>
<tr>
<td>Severity of Incident</td>
<td></td>
</tr>
<tr>
<td>What was the severity of the incident?</td>
<td></td>
</tr>
<tr>
<td>Did this incident result in a fatality, Injury (i.e. first aid treatment cases, medical treatment cases, lost time injuries including restricted duty, occupational diseases/illnesses), near miss occurrences, environmental pollution or degradation, contraventions of legislation and/or damage to public property etc.?</td>
<td></td>
</tr>
<tr>
<td>The severity of lost time injuries must also be determined.</td>
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</tr>
<tr>
<td>Repeat incidents</td>
<td></td>
</tr>
<tr>
<td>Was this incident a repeat/recurring incident? The repeat of an incident indicates a system failure, e.g. to investigate properly; identify effective corrective action and take such action.</td>
<td></td>
</tr>
<tr>
<td>Chairpersons of all investigations should determine if the incident being investigated is a repeat incident. The Safety Manager should advise and guide management in the effective classification of Repeat incidents.</td>
<td></td>
</tr>
<tr>
<td>Divisions should implement a verification process to confirm the possibility of Repeat incidents for:</td>
<td></td>
</tr>
<tr>
<td>• The same OU/BU (all incidents)</td>
<td></td>
</tr>
<tr>
<td>• Relevant Eskom division or subsidiary (at least all Lost Time incidents) or</td>
<td></td>
</tr>
<tr>
<td>• All Eskom sites (fatalities)</td>
<td></td>
</tr>
</tbody>
</table>
In the case of environmental incidents, the following should be considered when determining severity:

- Aspect has a recognised global environmental impact.
- Widespread or permanent ecological damage locally.
- Remediation would take longer than one year.
- Could result in a major public health hazard.
- Magnitude is unknown;
- Aspect could result in a major uncontained or sustained environmental release impacting regional or local environment only.
- Ecological damage can be remedied within one year.
- Health hazard to humans in the immediate vicinity, but not resulting in critical or fatal injury/illness; and little or no ecological effect and no measurable impact on human health.

Type of environmental incident (air pollution, water releases / contamination / waste / cutting of vegetation / non-compliance to condition of authorisation):

- Responsible Employer (Division/BU, Name of Principal/Sub-contractor/Labour Broker) - Immediate causes of incident
- Cause of incident
- Repeat incident (Y/N)
- Involved parties details (Name, Surname, Age, Extent of Injuries, Date of Death)
- Incident details (Date, Time, Location/Work Area)
- Legislation.

Rules and parameters for classification related to the type of relationship with the person determines whether the person involved was an Eskom employee, contractor employee or member of the public. The following criteria will assist the reader with interpreting the certain classification parameters:

- Any contractor, including a supplier who is injured while on Eskom business and/or on an Eskom site or between two Eskom sites, under the instruction and direction of Eskom, while performing work for Eskom, will be included in Eskom’s Incident Register (i.e. contractor statistics) and regarded as work-related.
- Any contractor diagnosed with an occupational disease/illness, where this is proven to be due to exposure on an Eskom site, must be recorded and included in Eskom’s performance measures (i.e. contractor statistics).
- Contractor employees working under the Mine Health and Safety Act will be classified and recorded as contractor employees and not as Eskom employees.
- In a case where an incident occurs, involving a member of the public and a Contractor employee where a section 37(2) agreement does not exist between Eskom and the relevant Mandatory, such a public injury will be regarded, recorded and investigated as an Eskom incident.
- Pensioners are not regarded as employees. In the case of a pensioner diagnosed with an occupational disease/illness (with latent periods), such disease/illness is reported in terms of section 25 of the OHS Act. Any medical practitioner who examines or treats a person for a disease/illness described in the COID Act, or any other disease/illness which he/she believes arose out of or in connection with that person’s employment, shall within the prescribed period and in the prescribed manner report the case to the person’s employer and to the chief inspector, and inform the person accordingly.
- If any pensioner is diagnosed with an occupational disease/illness, such an incident must be recorded but not included in Eskom’s performance measures.
• Rules and parameters for classification related to the work status at the time of the incident i.e. work related or not: In the event of an incident, an affirmative answer to all of the following questions defines a work-related incident:
  o 1. Did the incident or exposure occur at any workplace or arise out of or in connection with the activities of persons at work, or in connection with the use of plant or machinery?
  o 2. Did it occur in the course of a person’s employment?
  o 3. Did it or could it have resulted in personal injury or health impairment?

• The following criteria will assist the reader with interpreting the classification parameters:
  o Incidents which occur while travelling i.e. during transport or while commuting could be classified as either work-related or non-work-related incidents as illustrated below:

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>For all incidents that occur while travelling, excluding commuting:</td>
<td></td>
</tr>
<tr>
<td>Employees using a pool or rented vehicle or their own vehicle with permission, if the incident occurred out of and in the course of duty.</td>
<td>Work-related</td>
</tr>
<tr>
<td>Any incident occurring during travel between the employee’s permanent place of residence or temporary place of residence and an irregular place of work.</td>
<td>Work-related</td>
</tr>
<tr>
<td>Any incident occurring during regular/normal routine travel between the employee’s temporary place of residence and a regular or an irregular place of work.</td>
<td>Work-related</td>
</tr>
<tr>
<td>Employees travelling to and from a regular or an irregular place of work for the purpose of buying food within a reasonable distance (as determined by the supervisor) and where an Eskom canteen is not available.</td>
<td>Work-related</td>
</tr>
<tr>
<td>Employees travelling on personal business or for personal reasons:</td>
<td></td>
</tr>
<tr>
<td>• to and from a regular or an irregular place of work; or</td>
<td>Non-work-related</td>
</tr>
<tr>
<td>• who deviated from an accepted regular/normal work-related route.</td>
<td></td>
</tr>
<tr>
<td>A person is bitten in his hotel room or at guest house, while on a business trip.</td>
<td>Work related</td>
</tr>
<tr>
<td>A person is injured in her hotel room or at guest house as a result of criminal activity e.g. violence/crime while on a business trip</td>
<td>Work related</td>
</tr>
<tr>
<td>Any incident due to the authorised or unauthorised use of vehicles for private use.</td>
<td>Non-work-related</td>
</tr>
</tbody>
</table>

For all incidents that occur while commuting:
<table>
<thead>
<tr>
<th>Scenario</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commuting: where the employer provides transport which is free of charge, directly or indirectly, and the vehicle is driven by an authorised driver, and the incident occurred between the time when an employee boarded the provided vehicle at the point of departure and the time when he/she arrived at the destination.</td>
<td>Work-related, but passengers are excluded from Eskom’s performance measures</td>
</tr>
<tr>
<td>Commuting: an incident occurring during regular/normal routine travel between the employee’s permanent place of residence and a regular/normal place of work or between employees temporary residence i.e. a camp site or hotel and employees permanent place of residence.</td>
<td>Non-work-related.</td>
</tr>
<tr>
<td>Commuting between temporary place of residence and regular place of work</td>
<td>Work related</td>
</tr>
<tr>
<td>Commuting: employees using a pool or rented vehicle during regular/normal commuting, or for private use, with permission in terms of the scheme vehicle benefit.</td>
<td>Non-work-related</td>
</tr>
<tr>
<td>In the case of a call-out the incident will only be regarded as a work-related from the moment that the call is received until the person enters the border of his/her private property (without deviating from the normal route) or up to any point of deviation from his/her normal route.</td>
<td>Work-related</td>
</tr>
<tr>
<td>Commuting incidents involving contractor employees: An incident occurring during regular/normal routine travel between the contractor employee’s permanent place of residence and a regular/normal place of work. Note: It is recommended that the lessons learned from the incident are shared.</td>
<td>Non-work-related.</td>
</tr>
<tr>
<td>A contractor employee travelling from or to an Eskom site to any other site.</td>
<td>Non-work related for Eskom. Note: The contractor as an employer in its own right will treat this as an incident on duty.</td>
</tr>
<tr>
<td>A contractor employee travel on an Eskom site or between any other site under specific instruction from Eskom.</td>
<td>Work related for both Eskom and the Contractor.</td>
</tr>
<tr>
<td>(Note: the examples above excludes food and water poisoning, addressed elsewhere in this procedure.) o Any commuting incident, must be recorded but not included in Eskom’s performance measures.</td>
<td></td>
</tr>
</tbody>
</table>
Movement within the confines of the plant/property/premises: An incident shall be regarded as work-related if it occurred while the employee was proceeding from his/her regular place of work or office to the exit of the plant, site, property or premises, including before or after working hours. This stipulation includes circumstances in which the employee proceeds from one part of the plant/property/premises to another during working hours, if it arose from or in the course of his/her duties. This will not apply to cases where a person has embarked (or prior to disembarking) on any public transport or his/her private or scheme vehicle as part of commuting.

Parking lot incidents: An incident occurring on any parking lot, during embarking on or disembarking from any public transport or his/her private or scheme vehicle (as part of commuting) shall be considered as non-work-related. Any incident that occurs before embarkation or after disembarkation or incidents occurring while the employee was performing the duties of his/her employer shall be regarded as work-related.

Employee without a regular place of work: An incident involving an employee who has no regular place of work, for example, a member of a construction or maintenance team, shall be considered work-related if the incident occurred between the time when he/she reached the designated meeting place for the team and the time when he/she was dismissed from duty at the point where the team disbands. An incident involving an employee who travels locally or abroad for business purposes, for example, a meter reader, engineer or consultant, occurring while on the journey, shall be considered as work-related, except if it occurred:

- during regular/normal life activities apart from work, for example, during rest and recreation periods;
- during deviations, for personal reasons, from a reasonably direct route of travel;
- in the course of activities, neither necessitated by the journey nor in the interest of the employer;
- during routine travelling from a temporary work location to a temporary home (hotel), which is regarded as commuting.

A contractor employee travelling between from or to an Eskom site and any other non-Eskom site will be regarded as non-work-related by Eskom, unless the contractor employee was specifically instructed by Eskom to undertake such a trip, in which case it would be work-related for Eskom.

Incidents after hours away from regular/normal workplace: An incident that occurred after hours while the employee was away from the regular/normal workplace on a business trip (but has not been seconded or transferred), including attending work-related functions, is only regarded as a work-related incident if the incident was arising out of or in the course of their employment during the trip (within the scope of what the person was expected to do). The incident must be regarded as work-related, unless negligence on the part of another operating/business unit or owner of such a building or site is proven.

Absence from employer’s premises: An incident involving an employee while on duty outside the employer’s premises shall be regarded as work-related, provided that the absence from the premises was authorised by the employer or his/her agent. If an incident occurred at a temporary residence or hotel within the boundaries of that property, such incident will be regarded as work-related, provided that the involved/injured person is able to prove that it arose from his/her duties.

Incidents where a member of the public/third party was at fault: Incidents which occurred where it is proven during the investigation that the cause of the incident could be ascribed solely (100%) to a member of the public/third party being at fault, must be recorded but not included in Eskom’s performance measures (must be included in the monthly statistics but only excluded for bonus modifier purposes). The decision of excluding such a case from Eskom’s performance measures to be ratified by the...
Divisional and/or the Corporate Data Integrity Committee and/or Corporate Legal Investigation committee.

- **Voluntary work or Entertainment by, or as, a customer/client:** An incident involving an employee while formally entertaining or being entertained as a customer/client in the interest of the employer, for example for the purposes of receiving, discussing or promoting business, shall be regarded as work-related. This will include any activity performed by any person on a voluntary provided that the voluntary work is conducted in the interests of Eskom or its subsidiaries as part of its community development programme and shall be regarded as work-related. Note: Section 22 of COIDA provides that an incident shall be deemed to have arisen "out of and in the course of employment" if the employee was so acting for the purposes of or in the interests of or in connection with the business of his employer.

- **Incidents arising from Social events/Teambuilding exercises:** Any incident occurring as from 1 April 2009, from formally arranged teambuilding or sports days whether intended to be a teambuilding event or not, or any social event where that social event is not organised or and paid by Eskom, must be recorded, investigated and lessons learned communicated but will not be regarded as a work related incident excluding any individual paid as part of his/her duty to organise or facilitate such an event. Any person injured while directly involved in organising any event will be regarded as a work related incident.

- **Extended lunch/function meetings:** Formally pre-arranged extended lunch/function meetings/social events provided that the lunch/function was official and paid by Eskom, even if it was held outside the regular/normal workplace or and working hours will be regarded as a work-related incident.

- **Incidents from athletic activities, biokinetic exercises or during formal physical exercise sessions:** An incident resulting from participation in athletic activities, whether or not they were Eskom-sponsored, shall be considered a work-related incident only if the participant was specifically paid by the employer for organising in these activities, as reflected in the employment contract.

- **Shower room/ablution facility incidents:** An incident which occurs while an employee is proceeding to or from a shower or ablution facility, or which occurs while he/she is taking a shower or otherwise using washroom facilities on the premises before, during or after working hours, shall be regarded as work-related, if the use of such facilities was occasioned by the employee’s work. However, if the incident occurred in respect of washing facilities relating to the person’s place of residence, for example a camp, the incident will be considered non-work-related.

- **Incidents occurring during lunch and rest breaks:** An incident which occurs during an employee’s specifically defined lunch break or other specifically defined off-duty period shall be considered non-work-related, unless it arises as a result of hazards in the work area.

- **Violence at work due to non-work related personal differences:** All incidents of violence at work, regardless of the underlying motivation, will be regarded as non-work-related. All these incidents must be investigated and the intent to commit violence must be proven. Work related differences involving violence, will be regarded as work related incidents.

- **Horseplay at work:** All incidents involving horseplay at work are regarded as work-related.

- **Purposely inflicted and/or premeditated incidents:** An incident where a person purposely inflicted harm or injury to him or herself shall be considered work-related if it arises out of and in the course of employment. If the incident is unrelated to the injured person’s work, it shall be considered a non-work-related incident. Incidents due to self-inflicted injuries shall be considered non-work-related.

**CONTROLLED DISCLOSURE**

When downloaded from the EDC database, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the database.
Incidents arising from activities necessitated by external events: An incident due to an activity or response necessitated by an external event, for example, fire fighting, cleaning up debris or repairing equipment, shall be classified as work-related.

Incidents during work performed when employee had to appoint him/herself as a result of an emergency: Any incident which occurred while an employee was off-duty, but because of the situation at that time and because of his/her expertise, knowledge or authority put him/her on duty in order to save a life, protect Eskom’s property or conduct any duty during an emergency situation that furthered the employers business, will be regarded as work-related.

Incidents arising from training in fire fighting: An incident that results from Eskom training in fire fighting under the supervision of official training instructors shall be classified as work-related if reported to the instructor/manager before leaving the Training Centre at the end of the shift.

Incidents resulting in injury or death from lightning: An incident resulting in injury or death from lightning shall be classified as work-related if the incident occurred while the employee was engaged in Eskom work.

Exposure to temperature extremes: An incident resulting from exposure to temperature extremes (heat or cold) that could or did lead to the symptoms of a related condition is a work-related incident if it arises out of and in the course of employment.

Pre-existing medical impairment: If an incident arises solely as a result of a pre-existing medical impairment, and if a worker without such a medical impairment would not have suffered such an incident, such incident shall be considered as non-work-related. An incident arising out of and in the course of employment shall be considered work-related, even though a pre-existing medical impairment may have been a contributing factor. This decision regarding pre-existing medical impairment cannot be taken in isolation but an Eskom medical practitioner must be consulted.

Skin irritation and infections: Skin lesions, allergic reactions, sensitisation, atrophic dermatitis or infections are classified as work-related if they arise out of and in the course of employment. This will include skin cancer where an employee was exposed to the sun or any other stress factor that according to a medical practitioner could have been the cause of the cancer.

Inguinal hernia: an inguinal hernia (right, left or bilateral hernia in the groin) shall be considered a work-related injury only if it is precipitated by an impact, sudden effort or severe strain and meets any of the following conditions:

- A clear record exists of an incident such as a slip, trip, fall, sudden effort or over-exertion.
- Actual pain was experienced in the hernia region at the time of the incident.
- The immediate pain was so acute that the injured was forced to stop work for long enough to draw the attention of his/her supervisor or fellow employees, or the attention of a physician was secured within 12 hours, and
- there is no evidence of a congenital hernia defect.

Hernia other than inguinal: this shall be classified as a non-work-related injury, but shall nevertheless be treated.

Back injuries and strains: A back injury or strain shall be considered a work-related injury if it meets any one of the following conditions:

- It is caused by an incident such as a sudden effort or over-exertion or blow on the back, or a slip, trip or fall, which is clearly and formally recorded; and/or
- the incident that caused the back condition was reported to the supervisor immediately or not later than at the end of the shift on which it occurred;
- AND the physician treating the case is satisfied, after a complete review of the circumstances of the incident, that the injury could have arisen from the said incident and that the disability did not exist prior to the incident.
Muscular disability: Muscular disabilities such as bursitis, tenosynovitis, etc. are work-related injuries if they arise out of and in the course of employment.

Illness from antitoxin, vaccines or drugs: Illness resulting solely from a reaction to an antitoxin, vaccines or drugs in the treatment of an injury or prevention of an illness shall be classified as a non-work-related incident, excluding any individual exposed as part of their duty for example, service workers, medical staff, first-aiders, or prototype members.

Vector-borne/transmitted diseases/illnesses or death: When an employee contracts a vector-borne disease/illness which is endemic to his/her regular/normal place of residence and workplace, the disease/illness will be regarded as non-work-related. When an employee, whose regular/normal place of residence is not located in a defined endemic area, is deployed in an endemic area where he/she contracts the disease/illness, the disease/illness will be regarded as work-related. The Compensation Commissioner could apply the same criteria when considering compensation claims.

Animal and insect bites: Incidents that occur involving animal bites and insect bites/stings are regarded as work-related for the purposes of reporting and compensation when it arises out of and in the course of employment.

Death from undetermined origin: In a fatality where death might have resulted either from an illness or from an incident following the illness, the incident shall be considered work-related only if it is the opinion of the attending physician (e.g., medical practitioner engaged or authorised by the employer) that the illness arose out of or was aggravated by the deceased’s work.

Food and water poisoning: Food or water poisoning that results from a meal provided free of charge or subsidised by the employer to the employees from internal sources or external sources managed by means of a formal agreement, shall be considered work-related.

The following scenarios will assist in interpreting and explaining classification intricacies:

<table>
<thead>
<tr>
<th>Nr</th>
<th>Example</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A call-out</td>
<td>An official receives a call-out and proceeds to his/her destination directly from home. He/she is injured in a motor vehicle collision on his/her way or back directly to/from the place of his/her call-out. This injury shall be regarded as work-related.</td>
</tr>
<tr>
<td>2</td>
<td>An obligation to go somewhere</td>
<td>An employee receives a formal instruction to report for or attends a meeting or training, at a place other than his/her regular office. An injury sustained on the way to the place he/she was asked to go to shall be regarded as work-related.</td>
</tr>
<tr>
<td>3</td>
<td>An injury outside the employer's premises</td>
<td>An injury to an employee who is off the premises of the employer during working hours, with permission from the employer for private reasons including for the purpose of seeking housing accommodation for himself/herself, relatives or friends, shall be considered non-work-related.</td>
</tr>
<tr>
<td>4</td>
<td>Lunch break injuries</td>
<td>If, while eating at work during a specifically defined lunch break, an employee is injured when struck by a piece of moving equipment, boxes, screens or materials which he/she or another worker caused to move, or he/she is injured by a slip or fall or through any other situation peculiar to the work area, the injury shall be regarded as work-related.</td>
</tr>
<tr>
<td>5</td>
<td>Lunch breaks –</td>
<td>If, while eating in the same location as described in Example 4, an employee chokes on his/her food or becomes ill from his/her food,</td>
</tr>
<tr>
<td>Example</td>
<td>Incident Description</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>----------------------</td>
<td></td>
</tr>
</tbody>
</table>
| 6 | **Lunch breaks – cafeteria**  
An injury occurring in a cafeteria, restaurant or dining room, whether on or off the company’s premises, shall be regarded as non-work-related. In the event of an injury suffered in the company canteen due to a tripping hazard not removed by the (negligent) employer, the incident shall be regarded as work-related. |
| 7 | **Lunch breaks – food poisoning**  
Food poisoning which results from contaminated food bought or obtained from external service providers and not subsidised, for example, a café, shall be considered non-work-related. |
| 8 | **Food poisoning from internal sources**  
Food poisoning that results from a meal provided free of charge or subsidised by the employer to the employees from internal sources or external sources managed by means of a formal agreement, shall be considered work-related. |
| 9 | **Pre-existing physical defect**  
A worker with a cancerous condition, which affects the bone structure, suffers an injury when his/her legs suddenly collapse as a result of the bone condition. Because the injury arises solely out of a pre-existing medical condition and is not affected by any work condition, it shall be regarded a non-work-related.  
A person with a physical pre-existing condition, i.e. Hip-replacement trip and fall as a result of an unsafe condition or behaviour, such an incident will be regarded as work-related. If in the same situation a person falls without any unsafe situation such a case will not be regarded as work related. (Cause of injury solely as a result of the pre-existing physical condition). |
| 10 | **Trick knee**  
A worker with a “trick knee” suffers a recurrence of this condition while walking up a flight of steps. The injury arises solely out of a pre-existing physical defect and shall be regarded as a non-work-related injury. |
| 11 | **Slip with a trick knee**  
The same physical deficiency exists as that in Example 10, but the condition recurs when the worker slips while working. The injury does not arise solely out of a pre-existing physical deficiency and, in this case, shall be regarded as a work-related injury. |
| 12 | **Pre-existing injury requiring medical attention**  
An employee suffering from a pre-existing injury, aggravated by a subsequent incident, visits the medical station for treatment. The subsequent injury shall be recorded as a work-related injury, but not submitted to the Compensation Commissioner for medical or compensation claims. |
| 13 | **General dispute**  
An employee is seriously injured during a fight in a power station workshop, caused e.g. by a dispute over an umpire’s decision in a rugby match broadcast on television the night before. This is not a work-related injury. |
| 14 | **The security guard**  
A security guard is shot when apprehending a burglar breaking into the premises. This is regarded as a work-related injury. |
| 15 | **Hijacking**  
A gang hijacks an Eskom vehicle on its way to fix a power line and kills the driver – this is a work-related fatality. An Eskom employee is hijacked but does not suffer physical injury. After consulting the doctor, he/she is booked off for three days for being traumatised. |
<table>
<thead>
<tr>
<th>Incident Number</th>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>Fall from scaffold</td>
<td>A worker is found dead after a fall from a scaffold that he/she had climbed. There is evidence of a heart attack and, in the opinion of the attending physician, climbing could have contributed to the heart attack – this shall be regarded as a work-related injury.</td>
</tr>
<tr>
<td>17</td>
<td>Overturned vehicle due to heart condition</td>
<td>A vehicle operator is found dead in an overturned vehicle used for work. There is evidence of a heart attack but, in the opinion of the attending physician, driving the vehicle was not a contributing factor to the onset of the heart attack. The case will not be regarded as a work-related injury.</td>
</tr>
<tr>
<td>18</td>
<td>Casual employee falls</td>
<td>A casual employee who is member of an Eskom construction team is busy with the demolition of a line. The supervisor instructs him/her to climb up the ladder and cut the conductors with a bolt cutter, but while cutting, he/she slips, falls down and hurts his/her back. The injury will be recorded as work-related.</td>
</tr>
</tbody>
</table>

- Rules and parameters for classification related to the responsible employer: The following criteria will assist the reader with interpreting the certain classification parameters:
  - **Responsible employer in general**: An employee’s incident is recorded against the employer (e.g. operating/business unit, contractor) that actually employed, supervised, directed and/or instructed that employee at the time of the incident. This relationship is determined by means of an agreement between the affected employee and the employer. This includes the recording of all occupational diseases/illnesses against the OU/BU that exercised supervisory control over the affected employee on the date of diagnosis, unless it can be proven that the occupational disease/illness occurred/was caused by the activities of another BU, as described in the section on “Previous employer” below. Note: Occupational diseases/illnesses involving labour broker placed employees will not be counted against Eskom employee statistics due to the difficulty in monitoring exposures while exposed to multiple employers.
  - **Previous employer**: Incidents (including occupational diseases/illnesses, back injuries, etc.) where the current employer has sufficient proof or historical information (e.g. baseline and/or screening tests) that such a person was injured/exposed (i.e. that the occupational disease/illness occurred/was caused by another OU/BU or external company) prior to starting employment at the current employer, must communicate the incident to the previous employer and the Sustainability Systems BU. The following must be noted:
    - If the previous employer is an employer in Eskom, that still exists, the previous employer must include the incident in its incident register and report thereon; and
    - if the previous employer is an employer in Eskom, that no longer exists, the incident must be included in the incident register of the Divisional Head Office of the previous employer. The Divisional Head Office must report thereon.
    - If the previous employer is an external company, the incident must be recorded but not included in Eskom’s performance measures.
    - If there is no such proof or historical information, the current employer must report this incident as part of its own statistics.
  - **Previous Eskom employees**: In the case of incidents involving previous Eskom employees, where no relevant medical records exist, such person(s) must be recorded and included in Eskom’s performance measures. The following must be noted:
If this person’s previous employer is an employer in Eskom, that still exists, the previous employer must include the incident in its incident register and report thereon; and

if this person’s previous employer is an employer in Eskom, that no longer exists, the incident must be included in the incident register of the Divisional Head Office of the previous employer. The Divisional Head Office must report thereon.

**Previous incidents:** If an incident (either a first-aid treatment case or a medical treatment case) develops at a later stage into a lost time injury, or an occupational disease/illness is diagnosed and related to a previous incident, the lost time injury must be recorded against the OU/BU that was relevant at the time when the incident occurred. There must be proof that such a lost time injury was a direct result of the original incident.

**Business trip (excludes secondments and transfers):** An incident which occurred while an employee was away from the regular workplace on a business trip (but not seconded or transferred) to another operating/business unit, head office or any other site, and while involved in work, must be recorded against the operating/business unit that employs the employee (as from 1 October 2011).

**Secondments or transfers:** As from 1 October 2011, an incident which involves an employee temporarily transferred or seconded to another operating/business unit within Eskom and its subsidiaries (excluding Enterprises (Pty) Ltd) or where his/her supervisory environment is altered for whatever reason, will be recorded against the operating/business unit that employs the employee. Working hours will be allocated to the operating/business unit that employs the employee. An incident which occurred during regular/normal work while the employee was transferred/seconded to organisations external to Eskom (including Enterprises (Pty) Ltd), will be recorded against the OU/BU from which that person was transferred, unless the responsibility for health and safety is stipulated in a formal and written agreement or contract (OHS Act, section 37(2)).

**Joint ventures:** An incident that occurred while an employee was working as part of a joint venture with other BUs (excluding Enterprises (Pty) Ltd), will be recorded against the OU/BU that exercised the most control (such as giving instructions and overseeing) over the actual execution of the work performed by such an employee at the time of the incident, unless the responsibilities for health and safety are specified in a written agreement. An incident which occurred while an employee was working as part of a joint venture with external companies (including Enterprises (Pty) Ltd), will be recorded against the original OU/BU that employed the employee and who decided to put him/her in the service of the Joint Venture, unless the arrangement on Heath and Safety is stipulated and specifically states that the external company in the Joint Venture is responsible for Health and Safety as part of the Joint Venture agreement in terms of section 37(2) of the OHS Act.

**Training:** As from 1 October 2011, an incident which occurred on site at a training facility, while an employee is undergoing training at an Eskom training site or any other site internal to Eskom, must be recorded against the OU/BU that employs the person. If the incident happens while the employee is on the way from his/her regular/normal place of work to the Eskom training site, to the Eskom OU/BU where such training takes place or to an external training site, the incident must be recorded against the OU/BU that employs the person. An incident which occurred while an employee was undergoing training at training sites external to Eskom must be recorded against the OU/BU that employed the employee. Investigations must involve all the respective role-players in the incident.

**Telework:** An incident involving an employee working from home (Telework) on a temporary or permanent basis, will be recorded against the OU/BU that employed such a person, provided that the work was performed with the formal approval of the applicable supervisor and that proof is given that the work actually performed at the time of the incident arose out of and in the course of his/her duties.
Horseplay at work: As from 1 October 2011, all cases involving horseplay at work where an incident occurred must be recorded against the OU/BU that employs the person.

Contractor employees: In the case of an incident involving a contractor employee, the operating/business unit that had the contractual agreement with the contractor at the time of the incident, will record such an incident against that operating/business unit as a contractor incident.

Member of the public: In the case of an incident involving a member of the public (where no Eskom employee or contractor was involved in the incident), the operating/business unit in which the activities or actions of its employees or contractors directly or indirectly led or could have led to the incident, will record such an incident against that operating/business unit as a public incident.

Rules and parameters for classification related to the cause of the incident:

- If a chain of events leads to an incident, and the immediate cause is not clear or a dispute arise, in such a case the last event or agency will be regarded as the immediate cause. The preceding events or agents will be regarded as contributing causes. For example, an employee makes contact with live apparatus and falls from a height. The immediate cause of the incident is categorised as falling from a height.

Rules and parameters for classification related to the severity of the incident: In the case where there is a dispute on the severity of the incident, the opinion of the medical practitioner will be the final decision. The responsible manager should ensure that there is no interference with the decision of the medical practitioner. The following criteria will assist with interpreting the severity of certain incident types:

- Injuries where the person ignores a medical certificate, cancellation of lost time injury and reclassification of original assessment: Following treatment for a work injury, the attending physician issues a medical certificate entitling the injured to recuperate. If the employee feels he/she can carry on with his/her work, he/she should ask the doctor to reassess his medical fitness and cancel the medical certificate before he/she returns to work and to inform the relevant responsible manager / Eskom medical practitioner accordingly. The cancelled certificate should indicate the date of cancellation and the reasons for cancellation of the original certificate. This incident must be reported to the Compensation Commissioner to prevent the lost days' wages being refunded to the employer (Eskom).

- Incidents resulting in occupational diseases/illnesses: Occupational diseases/illnesses, for example hearing loss or asbestosis, shall be recorded as lost time injuries if they arose out of employment and the exposure to the agent that caused the disease/illness happened in the course of duty. The date on which an incident was confirmed by a medical specialist or panel shall be regarded as the day on which the incident occurred. The onus rests on the responsible manager to investigate and confirm whether or not the exposure that caused the disease/illness was work-related. The cause of the disease/illness will be assumed to be work-related, until proven otherwise.

- Medical observation: Medical observation includes observation at a hospital or medical facility as well as any by other person under the instruction of a medical practitioner. The following conditions are relevant: A blow on the head; a blow on the abdomen, the inhalation of harmful gases and/or any other case where a medical practitioner deems observation necessary. Where people are under medical observation:
  - If, after medical observation for less than 48 hours from the time of injury (or a suspected injury known to have a delayed effect), the person is able to resume regular/normal duties, the case shall not be considered a lost time injury. The physician shall verify that the injury was relatively slight and that the person can return to work without any permanent impairment or temporary total disability – the injury shall be classified as a medical treatment case;
However, if the person is admitted for observation and medical treatment or medication is administered after the first 24 hours following the incident, the injury shall be classified as a lost time injury; and

- if the person is unable to continue with his/her regular/normal duties after a medical observation period of less than 24 hours, the condition shall be classified as a lost time injury.

  - **Doubtful degree of disability:** If in doubt about the degree of disability, the classification of an injury shall be based on the decision of the attending medical practitioner.
  
  - **Second opinion regarding disability/injury:** In the event that an responsible manager doubts the opinion of the attending physician regarding the severity of the injury of an injured employee, the responsible manager is entitled to (within a period of 14 days) refer the employee to the company doctor or a medical practitioner of his/her choice for a second opinion. The injured shall be obliged to co-operate and the second opinion shall take precedence if differing from the first opinion. The attending physician should at all times act in the best interests of the patient.

### Recording

- Recording is a process of capturing data or translating information into a format stored on a storage medium (often referred to as a record), for the collection of data.

- **Incident registers:** The OHS Act, General Administrative Regulation, prescribes that employers shall keep at a workplace or section of a workplace a record of all incidents that he/she is required to report in terms of the Act, and any other incident that resulted in the person concerned having had to receive medical treatment other than first-aid treatment. (Note: see OHS Act, General Administrative Regulations, Annexure 1.) The SAP EHS system will be used as the only system to capture information as required and minimum information required to be captured are described in the system specifications.

  - First-aid registers shall be kept at first-aid boxes and all first-aid treatment cases shall be entered in the incident register. The register shall record at least the date of injury, the name of the injured, the treatment given and a brief description of the incident and injury.

  - The responsible manager is responsible for ensuring that all relevant occupational health, safety and environmental information must be captured/recorded/documented in the SAP EHS system incident register for all occupational Health and Safety and Environmental incidents including incidents where:
    - people were injured, including first-aid treatment cases;
    - environmental incidents occurred;
    - near-miss occurrences; and
    - repeat incidents
      - process- or plant-related incidents occurred that resulted in damage to or loss of equipment, production time or product;
      - contraventions of legislation occurred; (process to be clarified)

  - Process- or plant-related incidents that occurred, which resulted in damage to or loss of equipment, production time or product should be captured in the SAP EHS system and be available to ensure that SHE lessons learnt are identified and shared.

  - The format of such information is aligned to specified parameters to enable integration in and communication between relevant databases.

  - The Sustainability Systems BU is consulted in the design and development of these systems to ensure that their reporting requirements are satisfied appropriately and to ensure standardisation and compliance to the principles of the Back to Basics initiative

  - The responsible manager is responsible for the ownership and accountability of the information and for ensuring that accurate and complete information is recorded.
Where incident information is consolidated and/or reported, a person must be appointed in writing and be made accountable for the accuracy and verification of such information, and provided with sufficient resources to fulfil this responsibility.

Recorded information must be available that the SHE lessons learnt are identified and shared.

Incident information, e.g. incident registers, reports and supporting documentation must be available from the responsible manager (on site) for auditing and verification purposes. This includes information on incidents which involved contractors and members of the public.

Regardless of the format of the information, it must have a reliable audit trail and supporting information must be available to verify the information.

The following general agreed principles must be used for the recording of incidents.

- The date upon which the incident occurred (as opposed to the date of subsequent reclassification on severity e.g. deterioration of condition or death) will be used for reporting purposes.
- In the case of an occupational disease/illness resulting in lost time or death at a later stage, the date of confirmed diagnosis or death will be used for reporting purposes.
- Reporting and recording must be done based on the information readily available at the time of the incident. Updating of reports and records must be done immediately once more information becomes available.
- The responsible manager takes responsibility for the recorded information and is responsible for ensuring this information on the SAP EHS system is accurate and up to date and complies with CARAT principles.
- Any preceding incident, including an occupational disease/illness, which occurred as a result of exposure to the same agent or environmental factor, impacting on the same body part or target organ on a different occasion and resulting in similar symptoms or health effects, must be reported and recorded as a new/different incident.
- The reclassification of incidents must be communicated to all stakeholders, together with an explanation for the reclassification. Supporting information or proof must be made available for data verification purposes.

The Sustainability Systems BU is responsible for reporting the OHSLC-agreed indicators for analysis to Exco, Exco Ops, the Board, etc. These indicators, metrics, format and the time frames for implementation must be reviewed and/or frequently revised and agreed by the delegated OHSLC Task Team, where after the indicators must be ratified by the OHSLC and communicated to all relevant stakeholders. This must include the information that must be reported on incidents involving contractors and members of the public.

The Sustainability Systems BU is responsible for reporting ELC-agreed indicators for analysis to Exco, Exco Ops, the Board, etc. These indicators, metrics, format and the time frames for implementation must be developed and/or frequently revised and agreed by the delegated ELC primary members, thereafter the indicators must be communicated to all relevant stakeholders. This must include the information that must be reported on incidents that are classified as contraventions of legislation and also contraventions of legislation in terms of the Operational Health Dashboard.

3.1.5.1 Log Incident/Accident

- Capture incident related data on SAP EHS System including date & time of event, entry type, plant, work area, accident location, event short description, severity, likelihood of occurrence immediate causes, involved persons etc.
- For occupational disease incidents the date & time of incident will be the date & time of receiving the report completed by the Specialist.
3.1.5.2 Capture Immediate Actions

- Immediate Actions are intervention that must take place immediately in order to respond to an Incident emergency.
- Immediate actions are followed according to the Eskom Standard Operating Procedures.

3.1.5.3 Capture Injured Person Details

Capture the details of injured person on SAP EHS system (name, employee, contractor, accident category etc.)

3.1.5.4 Assign Incident Priority Rating

- A priority matrix is used to quantify the level of risk associated with the incident by allocating or assigning a priority rating calculated on SAP EHS system by the actual or potential outcome, consequence and/or severity of the incident, based on the initial available incident information.
- This rating is used to determine the type of notification and investigation required for the incident.

3.1.5.5 Capture Flash Report Detail

The Tab Page to store the data required for the printing of the Flash is populated with information.

3.1.5.6 Print Initial flash report

- The SAP EHS system generated Flash Report is circulated to business to be informed of an incident which has occurred within 24 hours.
- Different report outputs exist in PDF format and a large PDF at 1.5Mb with custom fonts and formatting. The SAP EHS System generated flash report must always be verified by the designated person prior to distribution and if amendments are identified, the originator of the initial notification must be requested to effect the proposed amendments.
- An updated SAP EHS system generated flash report is extracted and distributed to business once verified and approved.
- The flash report is communicated to the relevant persons, parties, corporate and divisional structures (including the Strategy & Risk Management representatives), according to the priority assigned to it.

3.1.6 Prioritise Management Protocols

- From the initial reports, the responsible manager, in conjunction with and advised by the Risk Practitioner and/or the Environmental Practitioner (in the case of environment incidents) must use the prioritisation matrix to determine the level of risk associated with an incident by assigning a priority rating to the incident to identify the applicable management protocols.
- Any initial prioritisation done in SAP EHS system would be revised where necessary.
- The methodology and the matrix provided in Annex C on Prioritisation in this procedure requires:
  o Step 1 Determine the actual or potential outcome, consequence and/or severity of the incident (i.e. the assumed worse-case scenario) by using the following table. In cases where the actual or potential outcomes are not the same, the assumed worse-case scenarios must be used.

### Consequences table

<table>
<thead>
<tr>
<th>Consequences</th>
<th>Low/Minimum</th>
<th>Minor</th>
<th>Moderate</th>
<th>Major</th>
<th>Serious/Critical</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consequences</td>
<td>Low/Minimum</td>
<td>Minor</td>
<td>Moderate</td>
<td>Major</td>
<td>Serious/Critical</td>
</tr>
</tbody>
</table>
### Personal injury to Eskom employees and/or contractor employees

| First-aid treatment case, Medical treatment case | Lost time injury where fewer than 14 days were lost, Diagnosed occupational disease/illness with non-permanent disability | Lost time injury where 14 days of more were lost, Diagnosed occupational disease/illness with permanent disability | Fatality, Fatality as a result of an occupational disease/illness, e.g. asbestosis, Or person injured to an extent where such a person is admitted to any ICU unit. | Multiple fatalities |

### Personal injury to member of the public

| First-aid treatment case, Medical treatment case | Incidents that resulted in hospitalisation (observation) | Incidents that resulted in hospitalisation (Intensive Care Unit or high care) | Fatality | Multiple fatalities |

### Near-miss occurrences

| Could have or previously did result in a first-aid treatment case and medical treatment case | Could have or previously did result in lost time injury where fewer than 14 days were lost or resulted in hospitalisation (observation) | Could have or previously did result in a lost time injury where 14 days or more were lost, or resulted in hospitalisation | Could have or previously did result in a single fatality, Equipment running out of control with potential for a single injury | Could have or previously did result in multiple fatalities, Equipment running out of control with potential for multiple injuries |

### Financial loss (including property damage)

| Value: R1-10k | Value: R10-100k | Value: R100k-1m | Value: R1-10m | Value: > R10m |

### Environmental

| Little or no ecological effect and no measurable impact on human health. | Minor ecological effect. Ecological damage can be remedied within 6 months. Minor hazard to humans in the immediate vicinity. | Aspect could result in a moderate uncontained or sustained environmental release, impacting on local environment only. Ecological damage can be remedied in less than one year. Health hazard to humans in the immediate vicinity, but not resulting in critical or fatal injury/illness. | Aspect could result in a major uncontained or sustained environmental release, impacting on regional environment only. Ecological damage can be remedied within one year. Health hazard to humans in the immediate vicinity, resulting in critical or fatal injury/illness. | Aspect has a recognised global environmental impact. Widespread or permanent local ecological damage. Remediation would take longer than one year. Could result in a major public health hazard. Magnitude is unknown. |

- Step 2 Determine the likelihood of a recurrence of this incident by using the Likelihood table. Repeat incidents must increase the priority profile of the incident. This is automatically done for Occupational Health and Safety incidents in the SAP EHS system if the “Repeat incident” field is completed. This will require knowledge of the work area in which this incident occurred and other similar work areas in which similar incidents could occur at least within own divisions or if the information is readily available other divisions in Eskom.
- Note: The investigation of a repeat event/incident should address ineffective corrective actions for the previous event.
**Likelihood table**

<table>
<thead>
<tr>
<th>Probability categories</th>
<th>Likelihood or recurrence of event</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frequent, Almost certain</td>
<td>1 or more times per month</td>
<td>Is expected to occur again either immediately or within a short period of time (i.e. within the next few weeks)</td>
</tr>
<tr>
<td>Likely</td>
<td>Occurs once per month</td>
<td>Will probably occur in most circumstances (several times a year)</td>
</tr>
<tr>
<td>Possible</td>
<td>Occurs once per year or every 2 years</td>
<td>Possibly will recur – might occur at some time (may happen every 1 to 2 years)</td>
</tr>
<tr>
<td>Unlikely</td>
<td>Occurs more than once every 10 years</td>
<td>Possibly will recur – could occur at some time in the next 2 to 5 years</td>
</tr>
<tr>
<td>Rare</td>
<td>Occurs once every 10 years or once in a lifetime</td>
<td>Unlikely to occur – may occur only in exceptional circumstances (may happen every 10 to 100 years)</td>
</tr>
</tbody>
</table>

- Step 3 Quantify the level of risk associated with the incident by allocating or assigning a priority rating to the incident. Use the information obtained in Steps 1 and 2 of this process and use the priority matrix to assign the priority rating.
Priority Matrix

<table>
<thead>
<tr>
<th>Consequence/Severity</th>
<th>Low/ Minimum</th>
<th>Minor</th>
<th>Moderate</th>
<th>Major</th>
<th>Serious/ Critical</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Likelihood</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Frequent, almost certain</td>
<td>Moderate</td>
<td>Moderate</td>
<td>High</td>
<td>Extreme</td>
<td>Extreme</td>
</tr>
<tr>
<td>Likely</td>
<td>Moderate</td>
<td>Moderate</td>
<td>High</td>
<td>High</td>
<td>Extreme</td>
</tr>
<tr>
<td>Possible</td>
<td>Low</td>
<td>Moderate</td>
<td>High</td>
<td>High</td>
<td></td>
</tr>
<tr>
<td>Unlikely</td>
<td>Low</td>
<td>Low</td>
<td>Moderate</td>
<td>Moderate</td>
<td>High</td>
</tr>
<tr>
<td>Rare</td>
<td>Low</td>
<td>Low</td>
<td>Low</td>
<td>Moderate</td>
<td>Moderate</td>
</tr>
</tbody>
</table>

Step 4 Determine the appropriate action to be taken, e.g. priorities, appropriate management of the incident, level of response, classification and reporting, etc. as described in table on Action required

Action required

<table>
<thead>
<tr>
<th>Management level required</th>
<th>Extreme</th>
<th>High</th>
<th>Moderate</th>
<th>Low</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Need to inform and involve senior management in Eskom (namely the Chief Executive and Divisional executive) immediately (i.e. personal involvement or to ensure feedback from a direct report), and Divisional Environmental Manager (for environmental incidents) and appropriate Health and Safety Committees.</td>
<td>Need to inform senior management in division (namely Divisional Executive and his/her direct reports) for personal involvement or to ensure feedback from a direct report, Divisional Environmental Manager (for environmental incidents) and appropriate Health and Safety Committees.</td>
<td>Need to inform 16.2 appointees, Divisional Environmental Practitioner (for environmental incidents) and appropriate Health and Safety Committees.</td>
<td>Need to involve supervisor</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Employer investigation requirements</th>
<th>24 hours.</th>
<th>Complete investigation within 7 calendar days or as soon as reasonably practicable.</th>
<th>Investigate using root cause identification methodology.</th>
<th>Initiate investigation within 48 hours.</th>
<th>Complete investigation within 7 calendar days or as soon as reasonably practicable.</th>
<th>Investigate using root cause identification methodology.</th>
<th>Initiate investigation within 7 days.</th>
<th>Complete investigation within 7 calendar days or as soon as reasonably practicable.</th>
<th>Do cause investigation to determine root cause.</th>
<th>Do employer’s investigation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initiate investigation</td>
<td></td>
<td></td>
<td></td>
<td>Initiate investigation</td>
<td>Complete investigation within 7 calendar days or as soon as reasonable practicable.</td>
<td>Investigate using root cause identification methodology.</td>
<td>Initiate investigation within 7 days.</td>
<td>Complete investigation within 7 calendar days or as soon as reasonably practicable.</td>
<td>Do cause investigation to determine root cause.</td>
<td>Do employer’s investigation.</td>
</tr>
</tbody>
</table>

| Employer involvement in Employer investigation | Chaired by either a Chief Officer/ Divisional Executive or his/her formally delegated senior manager (at least GM level) to whom the applicable OU/BU Manager is reporting to Involve the Sustainability Systems BU, Divisional Environmental Manager (for environmental incidents), Corporate Human Resources, specialists, unions, health and safety representatives. | Chaired by a operating/business unit leader or direct report (i.e. power station, regional or grid manager) at least E Band level. Involve the Sustainability Systems BU, Divisional Environmental Manager (for environmental incidents), Corporate Human Resources, specialists, unions, health and safety representatives. | Chaired by direct report to the operating/business unit leader (i.e. power station, regional or grid manager) at least M17 level. Involve the Sustainability Systems BU (See note), Divisional Environmental Practitioner (for environmental incidents), Corporate Human Resources, specialists, unions, and health and safety representatives. | Chaired by middle management at least M14 level. Involve Operating/business unit Human Resources, specialists, unions, health and safety representatives. |
**Classification and recording requirements**

- Classify and record immediately (no later than 24 hours).
- Inform the Sustainability Systems BU immediately.

**Action required and/or level of response**

- Communicate flash report within 24 hours. Share the lessons learnt and actions required within the whole organisation. Ongoing monitoring of trended aggregated incident data may also identify and prioritise issues requiring an improvement project.
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**Note:** Where in-house resources are available, Sustainability Systems BU need only be involved in all fatality investigations.

The requirements pertaining to the investigation for all fatalities and occupational diseases/illnesses are described in detail in the section on Incident Investigation.

- This priority rating is useful to:
  - Ensure that appropriate management of the incident takes place;
  - Determine the level of action following notification of the incident;
  - Assist responsible managers with prioritising and classifying incidents; and
  - Provide clear direction about the incident reporting requirements.

  - The responsible manager is responsible to ensure that all those involved in the prioritisation of incidents are in a position to understand and use the prioritisation matrix.
  - The priority rating will guide the responsible manager in determining what actions to take and what level of involvement is required.

### 3.1.7 Investigate Incident

- Every incident is a symptom of a system failure, not just physical failures or human error. Few incidents occur as a result of a single factor or action. All related key factors must be identified in the investigation process.
- Investigation is defined as the process of inquiring into a matter through research, follow up, study or a formal procedure of discovery.
- Irrespective of the priority assigned to action, classification and outcome of an incident, the aim of all investigations is to prevent recurrence through understanding and addressing factors underlying the incident. I.e. to identify what happened and how it happened, to determine the underlying factors, critical path or root causes of the incident and to determine workable recommendations to prevent it from happening again.
- Regardless of the work-relatedness or not of an incident that occurs at the workplace, e.g. a heart attack, such an incident must be investigated to identify any possible contributing causes and to make recommendations on preventing any repeat incidents.
- The investigation of non-work related incidents that does not occur at the workplace including non-work related commuting incidents is not required. In some cases an investigation can be requested e.g. in case of a serious incident or where a manager has a very good reason to request such an investigation (where Eskom has an interest to understand the reasons/root causes) or incidents involving members of the public beyond point of supply etc.. These lessons could be shared in the organisation to prevent repeat incidents.
- It must be noted however that Eskom do not have the mandate to investigate incidents at “home” (as defined in this document), unless the person was telecommuting at the time of the incident, in which case the incident would be regarded as work-related.
• In the investigation of repeat incidents, ineffective corrective actions for the previous events should also be considered/explored. Recommendations and lessons learnt from incidents should also be communicated wider to ensure the organisation as a whole learn from them and that actions are taken to prevent repeat incidents.

• Eskom investigations will consist of an employer’s investigation and, depending on the incident, a Corporate Legal Investigation.

• Any of the investigations or hearings initiated by either the Department of Labour or Department of Mineral Resources, Department of Energy, Department of Environmental Affairs, Department of Water Affairs and SAPS could also run concurrently with the investigations conducted by Eskom.

• In the case of incidents involving crime, violent crime and fire arms related incidents, the Security department and Eskom Security Risk Management department must be involved in both the employer’s investigation as well as the Corporate Legal investigation, if such investigation is conducted. In case of a fire arm related incident, the Eskom Arsenal Manager must be involved in the employer’s investigation as well as the Corporate Legal investigation, if such investigation is conducted.

• Employers Investigation
  o The Operating/Business Unit Manager ensures that all incidents are properly investigated at operating/business unit’s level.
  o The priority assigned to the incident in the Prioritisation step of the Incident Management Process, will determine which resources will be allocated, which levels in the organisation will be involved and the time frame for the completion of the investigation.
  o The Operating/business unit Manager is responsible for reporting the incident and initiating immediately (at least within 24 hours) an investigation process (Employer’s Investigation) to be undertaken by a properly constituted committee, for those incidents specified in Annex F on Investigation. The Employer’s investigation must be conducted as soon as reasonably practicable. Incidents that must be recorded in terms of the OHS Act, must be investigated within seven (7) calendar days after the incident occurred and be finalised as soon as is reasonably practicable (refer to Table C4 for specific requirements), or within the contracted period in the case of contractor employees.
  o In the case of fatalities or serious incidents (person admitted to ICU) listed below, a specialist team under the chairmanship of a person identified by the OHS Manager, will take over the investigation:
    o Electrical contact incidents
    o MVA
    o Fall incidents
    o Tree felling incidents
    o Stuck by
    o Non-fatal public incidents (Public liability)
    o Violent crimes
    o Occupational diseases or uncontrolled exposures above the limits
    o Contravention and Prohibition notices
  o The investigation of occupational diseases/illnesses must start within seven working days. Such an investigation must be completed as soon as possible, and may not take longer than three months, unless exemption is obtained from the Sustainability Systems BU.
  o The Operating/business unit Manager ensures that all investigations are conducted in accordance with the investigation techniques supported by ELC / OHS/SLC.
These techniques should be appropriate to the type of incident investigated.

- The objective of such investigation should be to determine the underlying factors, critical path or root causes of the incident and determine workable recommendations that will prevent the repeat of such an incident.
- Site investigation procedures must be comprehensive when addressing the basic steps in the incident investigation process.
- The responsible manager shall ensure that the outcomes of the incident investigation are properly documented.
- In the case of incidents involving contractor employees, the contractor must investigate those as an employer in his/her own right (Employer’s Investigation).
- Eskom have observer status during these investigations.

**Employer’s Investigation Committee and its duties**

- In order to comply with legislative requirements, the Employer’s Investigation Committee must investigate the incident, complete the Annexure 1 form (as required in the OHS Act, General Administrative Regulations for Recording and Investigation of Incidents) and submit the completed form to the Department of Labour.
- The responsible manager must appoint the chairperson and members of the Employer's Investigation Committee as referred to in the sections on Step 3 on Prioritisation to conduct the investigation. Membership of and requirements for the Employer’s Investigation Committee will differ, depending on the type of incident being investigated.
- The following types of incidents could be investigated:
  - Non-fatal electrical contact incidents, involving Eskom employees and/or contractor employees
  - Non-fatal incidents other than electrical contact incidents, involving Eskom employees and/or contractor employees
  - Non-fatal incidents which did not result in a serious injury but occurred in such a manner that a member or members of the public could have died, with no possible liability claims, i.e. electrical contact and other incidents, including motor vehicle accidents
  - Occupational diseases/illnesses and cases where occupational exposure limits have been exceeded
  - Contravention and prohibition notices issued by the Department of Labour
  - Non-occupational fatalities of employees
  - Incidents involving more than one employee from different operating/business units in the same incident
  - Incidents involving an employee at other operating/business units or external organisations
  - Contravention of environmental legislation and related incidents.

**Duties of specialist investigation team in the case of fatalities or serious incidents related to:**

- Electrical contact incidents; MVA; Fall incidents; Tree felling incidents; Stuck by; Non-fatal public incidents (Public liability); Violent crimes; Occupational diseases or uncontrolled exposures above the limits; and Contravention and Prohibition notices include:
  - Conduct a full investigation in order to identify the root causes of the incident, identify the repeat occurrence of such incident and reasons why it is a repeat incident.
  - To report back during the Corporate Legal Investigation as
  - To formulate findings and recommendations
  - To assist the OU/BU Manager with completion of Annexure 1 report, if required.

**Corporate Legal investigation**

- A Corporate Legal Investigation will be conducted in the case of employee and contractor fatalities as well fatalities involving members of the public.
In the case of serious incidents that involve employees, members of the public and contractor employees where the severity is of such nature that the individual has been admitted to ICU a corporate legal investigation will be conducted unless determined otherwise by the Eskom Legal Department. The responsible manager must also ensure that a Corporate Legal Investigation is initiated within seven (7) days of the incident, where required.

In the case of incidents involving contractor employees, a corporate legal investigation will be conducted, which will require the contractor’s involvement.

The aim of the investigation is to determine the underlying factors; critical path or root causes of the incident and determine workable recommendations that will prevent the repeat of such an incident and to learn from them.

In the case where a contractor does not cooperate during any part of the Eskom corporate legal investigation, in terms of contractual and legal obligations, Eskom shall take further steps to ensure that the underlying factors, critical path or root causes of the incident have been identified and ensure that workable recommendations are identified, implemented and that actions that will prevent the repeat of such an incident are implemented in order for Eskom to fulfil its legal obligation.

Corporate Legal Investigation and its duties

The objective of the Corporate Legal Investigation is to obtain a legal opinion.

The responsible manager is responsible for requesting a Corporate Legal Investigation, undertaken by a properly constituted committee, for the further investigation of those incidents where:

- the incident resulted in a fatality or potential fatality of an Eskom employee(s) and/or contractor employee(s), including commuting, teambuilding/social events and crime-related incidents;
- the incident resulted in a fatality or serious injury in such a manner that a member(s) of the public could die, possibly resulting in liability claims, i.e. electrical contact and other incidents, including motor vehicle accidents; and
- the potential liability for Eskom is cause for concern.

This investigation must be done in conjunction with the Sustainability Systems BU, Divisional and/or Operating/Business Unit Occupational Health and Safety Manager and/or Risk Manager, Divisional Environmental Manager (in the case of related environmental incidents) and the Eskom Legal Department.

Members of the committee must sign a confidentially declaration in terms of the security vetting process.

Investigation and hearings initiated by government agencies

National, provincial and regional government agencies are responsible for, and have the legal authority to investigate certain incidents.

An investigation by these agencies should be preceded by giving proper notice to the organisation. Once such notice has been received, the Sustainability Systems BU should be involved in the process to ensure that employees do not incriminate Eskom or themselves.

It is important for site staff to co-operate once they have been notified of the intent to investigate by such an agency and throughout any such investigation.

Because of the potential for such governmental investigations to incriminate people or organisations, Eskom’s own investigation team must take care not to contaminate or destroy evidence that might be of value to such governmental agencies. There must be
no basis for any implication that Eskom has withheld pertinent facts or otherwise impeded the governmental investigation.
  o Requests by government agencies for access to the site’s investigation reports and related materials must be made in writing and reviewed with Eskom’s Legal Department before they are granted as may be applicable.
  o In the case of any compliance and/or pre-compliance notice issued by the DEA or provincial or district municipal environmental authority, notification issued by the Department of Labour or Department of Mines and Energy (DME) to any OU/BU in terms of OHSAct Section 31, 32, (OHSAct), Section 56 (COID Act - Application for Increased Compensation) or any hearing under the Section 65 of the Mine health and Safety Act, such an OU/BU manager or his/her delegated person must inform both Sustainability Systems BU and Eskom Legal Department immediately.

3.1.7.1 Establish investigation team

- The responsible manager is responsible for initiating an investigation process to be undertaken by a properly constituted committee for all incidents. Teamwork within and across functional groups (i.e. operations, technical and maintenance) is essential to the investigation, understanding and ultimately, the prevention of incidents.
- The constitution of the investigation committee, time frame in which the investigation must be initiated as well as the investigation techniques to be used and level of detail to be investigated, are determined according to the priority assigned to it. For example incidents with extreme risk/loss potential/legal implications must be investigated by a high-level committee, within a shorter time frame and be more detailed than incidents with a low risk/loss potential.
- Exceptions, where the investigation process will deviate from the requirements according to the priority assigned to it, must be dealt with on their own merit in consultation with Divisional Environmental/ Risk Managers through a motivation which shall be submitted in writing.
- Indemnity to witnesses: Statements made by employees during the safety investigation are made without prejudice and will not be held binding against an employee during any disciplinary process. This is a right also enshrined in the OHS Act and NEMA. Employees are protected from self-incrimination in the DOL investigations. Need a form to be signed
- For the Employer’s investigation, it is the responsibility of the responsible manager to identify and involve the local subject-matter experts who may be required for the investigation process.
- Investigations are conducted by a suitably constituted investigation committee which has the authority and power to investigate and recommend remedial actions and measures.
- For the purpose of the Corporate Legal Investigation the committee is to be confirmed by Sustainability Systems BU after consultation with the OU/BU.
- The OU/BU, after consultation with the Eskom Legal Department is to ensure confirmation of a date for the Corporate Legal Investigation and the appointment of a legal chairperson.
- Training in investigation techniques:
  o The responsible manager must ensure that the key site employees leading the incident investigation process have been properly trained in effective incident investigation techniques.
  o These employees must have the necessary knowledge and skill to conduct thorough investigations and to document complete and well-written investigation reports so that the incident investigation’s objectives are met.
  o The responsible manager must also ensure that these employees are conversant with the principles of incident investigation, including for example, principles on collection and preservation of evidence, interview techniques, establishing event chronologies, the methodology for identification of root causes, and how to set proper SHE Measures.
• Training must address all aspects of the investigation process for employees who lead or facilitate investigations.
• The specific requirements pertaining to the timeframes for initiating and concluding investigations, the process for selecting investigators and the forming of the investigating committees as well as the constitution and duties of both the Employer’s Investigation Committee and the Corporate Legal Investigating Committee is provided in detail in this procedure.

- General requirements for committee chairperson:
  o The appointed committee chairperson must effectively perform the following tasks:
    ▪ Arrange and ensure that the Investigation Committee sits in an environment conducive to carrying out its duties
    ▪ Conduct comprehensive, timely investigations by controlling the scope of committee activities
    ▪ Identify and appoint appropriate committee members and help ensure their active participation
    ▪ Convene and preside over meetings
    ▪ Explain and inform committee members and all witnesses of their right to avoid incriminating themselves as well as the possible consequences of the transgressions listed under section 6 of this procedure
    ▪ Inform management of the status of the investigation
    ▪ Review and verify the final report for completeness, accuracy and objectivity.
  o It is particularly important for the committee chairperson to work objectively and without emotional involvement or the assignment of fault. It may be appropriate to select a more independent chairperson from higher in the line organisation or someone who is not directly assigned to or involved in the area or operating/business unit where the incident occurred.
- No conflict of interest
  o No conflict of interest is an important prerequisite for effective investigations, so there may be occasions where it would be advisable to appoint a neutral, competent investigator in preference to the person with the most interest in the incident.
  o A conflict of interest could occur, for example, where an individual is a member of an investigation committee but where:
    ▪ prior to and at the time of the incident, the individual was either directly involved in supervising the person who became injured or gave an instruction or failed to give an instruction which resulted in the incident;
    ▪ there is reason to believe that victimisation could occur or that the impartiality of the investigation and/or decisions may be negatively influenced;
    ▪ the individual has a personal relationship with the affected/injured person;
    ▪ there is interference from a Temporary Employment Service during the particular case; or
    ▪ any similar situation.
  o If any member of the Investigation Committee has a conflict of interest with regard to the incident under investigation, he/she must declare such conflict of interest to the Chairperson who will make a final decision about the involvement or replacement of the member.
- General requirements for committee membership
  o The composition of the investigation committee constitutes a critical factor affecting the quality of the investigation. The employer shall appoint competent employees to the investigation committee to help ensure a prompt, effective investigation.
Committee membership must include those who can contribute and play a role in the investigation. Investigation committee membership can vary according to the incident being investigated and the resources that are available.

- At least one member of the committee must be experienced and trained in conducting incident investigations. This person should be of sufficient seniority to ensure he/she is in the position to guide the investigation process.

### Constitution of the Employer’s Investigation Committee

- The Employer’s Investigation Committee must, as a minimum, consist of:
  - the chairperson who must hold, at least, a middle management position (as per the prioritisation process), provided there is no conflict of interest in the particular case under investigation;
  - representatives from all entities, where multiple organisations and divisions are involved;
  - the relevant supervisor closest to the place where the incident occurred, as an observer and/or witness;
  - in some incidents, where needed, a dedicated specialist technical investigator and/or team may be appointed by Corporate Services to conduct the investigation on behalf of the responsible manager. This investigator/team will be mandated by the OHSLC and co-ordinated by Corporate Services and will operate across divisions;
  - one or more specialist(s), depending on the case;
  - the Health and Safety representative;
  - the Environmental Manager / Specialist;
  - the Safety Risk Manager or a nominee;
  - applicable union representative; and
  - the relevant witnesses. (excluded from the committee as committee members)

### Additional considerations for the Employer’s Investigation Committee

- The following additional issues must be considered, depending on the type of incident being investigated:

<table>
<thead>
<tr>
<th>Type of incident</th>
<th>Additional considerations</th>
</tr>
</thead>
</table>
| Non-fatal electrical contact incidents, involving Eskom employees and/or contractor employees | - The flash report and the Employer’s Investigation Report must be forwarded to the Sustainability Systems BU which will, after consultation with the Eskom Legal Department and the relevant divisional OHSLC principal member or nominee, give clarity about whether a legal practitioner should chair the investigation; and  
  - a subject specialist in the field of electricity, a forensic investigator and a Human Resources performance specialist/psychologist must also form part of the investigation committee. |
<p>| Incidents such as vehicle incidents, loss of supply, property damage, theft, human error, near-miss occurrences, medical treatment cases, etc. |                                                                                                                                                         |
| Non-fatal incidents that did not result in a serious injury in such a manner that (a)                              | - The responsible manager is responsible for holding its own enquiry pertaining to public incidents. A committee chaired by an M-band Manager is formed for this purpose. |
| Incidents such as vehicle incidents, loss of supply, property damage, theft, human error, near-miss occurrences, medical treatment cases, etc. |                                                                                                                                                         |</p>
<table>
<thead>
<tr>
<th>Type of incident</th>
<th>Additional considerations</th>
</tr>
</thead>
</table>
| member(s) of the public could have died, i.e. electrical contact and other incidents, including motor vehicle accidents | - A flash report must in all cases be forwarded to the Sustainability Systems BU.  
- In the case of an incident where it becomes apparent during the investigation that negligence by Eskom is suspected and Eskom could be held liable as a consequence of negligence, OU/BUs must involve the Sustainability Systems BU and Eskom Legal Departments as well as other specialists. |
| All incidents involving violent crime and/or where a firearm was discharged      | The committee must involve a representative of the Eskom Security Risk Management Department.                                                                                                                               |
| Occupational diseases/illnesses and cases where occupational exposure limits have been exceeded | - A committee must investigate incidents relating to occupational diseases/illnesses and health conditions reportable in terms of sections 24 and 25 of the OHS Act. An investigation must also be conducted in cases where occupational exposure limits have been exceeded.  
- The committee must include at least a registered occupational health practitioner as well as an occupational hygienist who is part of the Eskom Approved Inspection Authority (AIA), an occupational health and safety representative, and the responsible manager. |
| Contravention and prohibition notices issued by the Department of Labour         | - In the case of a prohibition notice being served, the Employer’s Investigation Committee must immediately investigate the reason for non-compliance with the related statutory requirement.  
- A copy of the investigation report must be filed for further dealings with the Department of Labour.  
- The responsible manager (OU/BU Manager) has to provide a copy of the prohibition notice to the Sustainability Systems BU for distribution to all other OU/BUs, to ensure compliance in terms of the prohibition notice and the related statutory requirement. |
| Non-occupational fatalities of employees                                         | - In the case of non-work-related fatalities of employees, the responsible manager (OU/BU Manager) may at his/her discretion appoint a committee to investigate the circumstances surrounding the incident.  
- The nature of the case will dictate whom best to involve in the investigation. However, the committee should preferably also include the supervisor of the deceased and the OU/BU Safety Risk Manager. |
<p>| Incidents involving more than one employee from different operating/business     | - If and when an incident occurs involving more than one employee from different OU/BUs, such an incident investigation must be chaired by an independent chairperson appointed by the Sustainability Systems BU, as |</p>
<table>
<thead>
<tr>
<th>Type of incident</th>
<th>Additional considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>units in the same incident</td>
<td>agreed upon by all the relevant line managers representing the affected employees; and</td>
</tr>
<tr>
<td></td>
<td>• a formal incident investigation report must be forwarded to all the applicable OU/BU Managers.</td>
</tr>
<tr>
<td>Incidents involving an employee at other Operating/business units or external organisations</td>
<td>• If an employee from a particular OU/BU is involved in an incident at another OU/BU or external organisation, the responsibility for the investigation and reporting of the incident lies with the original OU/BU that employed the injured / affected employee.</td>
</tr>
<tr>
<td></td>
<td>• Depending on the seriousness of the incident, and if it is not reasonably practical to conduct the investigation itself, the original OU/BU may request the OU/BU where the incident occurred to conduct the investigation on its behalf or, by agreement, to conduct such an investigation together.</td>
</tr>
<tr>
<td></td>
<td>• If this is not possible for whatever reason, an independent chairperson appointed by the Sustainability Systems BU, as agreed upon by all relevant responsible managers, must conduct such an investigation. A formal incident investigation report must be forwarded to the OU/BU Manager(s).</td>
</tr>
<tr>
<td>Contravention of environmental legislation-related Incidents.</td>
<td>• The OU/BU Manager must ensure that a formal investigation is conducted by a properly constituted investigation committee to identify the circumstances surrounding a contravention of environmental legislation; and</td>
</tr>
<tr>
<td></td>
<td>• the committee must publish its findings in an incident investigation report and send cases of lessons to be learnt to the Environmental Liaison Committee for circulation to all appropriate operating/business units.</td>
</tr>
</tbody>
</table>

- General roles and responsibilities of the investigation committee: The investigation committee is responsible for the following:
  - Reaffirming the risk potential or priority of the incident
  - Completing the Annexure 1 form (as required in the OHS Act, General Administrative Regulations for Recording and Investigation of Incidents) and forward it to the Department of Labour
  - Identifying and collecting all evidence for the investigation
  - Reviewing all the applicable evidence and considering all the applicable documentation as soon as possible after the incident
  - Determining the facts of the incident; (e.g. establishing the sequence of events)
  - Determining the key factors (e.g. the direct, contributory and root causes of the incident)
  - Investigating or reporting for further investigation or action, any suspected irregularity observed during the investigation
  - Identifying and making recommendations on the remedial action required to prevent the recurrence of similar incidents

CONTROLL ED DISCLOSURE
When downloaded from the EDC database, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the database.
Where these recommendations could be applicable to other operating/business units and/or divisions in Eskom, communicating and sharing the relevant information (lessons learnt) to facilitate knowledge transfer in the operating/business units, to the relevant contractors, divisions and/or Eskom group to prevent the recurrence of similar incidents.

In the case of an incident or event impacting on more than one line division, advising management of the need to appoint a recovery manager with the authority to take appropriate action to ensure a speedy return to normal.

Identifying the documents and other communications that can be released to those involved in the incident and their support person(s).

Determining the manner in which and the time period for which the evidence used and produced during this investigation must be kept, at the conclusion of the investigation.

Ensuring that each incident is entered in the Incident Investigation Register and reviewing the initial incident classification.

Producing an incident investigation report as a factual summary of the relevant facts pertaining to the incident, which report should contain the minimum required information.

Determining the estimated cost of the incident. (This estimate must include labour, material and downtime. Standard costs for labour are given in Table F.2.6.)

### Standard costs for incidents

<table>
<thead>
<tr>
<th>Incident severity</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fatality</td>
<td>R1,5 m</td>
</tr>
<tr>
<td>Lost time injury including occupational diseases and illnesses</td>
<td>R30 000</td>
</tr>
<tr>
<td>Medical treatment case</td>
<td>R3 500</td>
</tr>
<tr>
<td>First-aid treatment case</td>
<td>R1 000</td>
</tr>
</tbody>
</table>

- Discussing with the Eskom Legal Department any aspects in relation to liability, where applicable.
- Ensuring that each incident is discussed and recorded in the minutes of the relevant Statutory Safety Committee meetings.
- Preparing for and co-operating during any investigation by the Department of Labour (where applicable).
- In the case of a fatal or serious incident, arranging for a Corporate Legal Investigation.

### Constitution of the Corporate Legal Investigation Committee

The Corporate Legal Investigation Committee as determined by Sustainability Systems BU, will be structured and limited to the following members:

<table>
<thead>
<tr>
<th>Full members on committee</th>
<th>Chairperson – a legal practitioner formally appointed by the Eskom Legal Department (unless otherwise specified, for example in a case where the Eskom Legal Department indicates that a legal person is not required in a particular incident, such an incident may be chaired by a member of the Sustainability Systems BU)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Note: a quorum is to be determined by the chairperson</td>
<td>Sustainability Systems BU Occupational Health and Safety Manager or nominee</td>
</tr>
<tr>
<td></td>
<td>The Divisional / OU/BU / Senior Management Representative (provided that he/she has no direct involvement in the particular incident)</td>
</tr>
</tbody>
</table>
incident

- Representatives from all entities, in cases involving multiple organisations and divisions
- The Divisional Risk Manager (OHSLC Principal Member) or nominee
- The local statutory Health and Safety representative
- A technical expert or specialist as determined by the committee
- A representative of the Eskom Security Risk Management Department (in case of all incidents involving violent crime and/or where a firearm was discharged)
- Any other person whom the chairperson allows on a formal application.

Co-opted persons (without member status)

- Eskom Assurance and Forensic Department representative or nominee/specialist with the duty to close out the audit findings and give feedback to Exco Ops
- The OU/BU Safety Risk Manager or a nominee as co-ordinator, specialist and observer
- Representatives from Divisional Technology, the Live Line Control Body, or the ORHVS Committee as specialists
- A Human Resources representative
- A local environmental representative as a specialist
- Psychologist (human performance specialist) as a specialist
- Medical services representative as a specialist.

Observers

- Any other person whom the chairperson allows on a formal application.

Note: the chairperson may grant permission to any observer at his/her own discretion to ask questions during the hearing.

Witnesses

- The relevant person appointed Supervisor or Safety Team Leader, closest to the place where the incident occurred, as the first witness
- Depending on the case, the relevant OHS Act section GMR 2(1) person appointed for plant-related incidents
- The relevant direct supervisor (if not the same as the person listed above)
- Any person who witnessed the incident

Note: a witness may be recalled to answer further questions from the committee.
as determined by the chairperson.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Any other person with any other evidence related to the incident</td>
</tr>
<tr>
<td></td>
<td>Any other person identified by the Committee.</td>
</tr>
</tbody>
</table>

- Additional considerations for the Corporate Legal Investigation Committee: The following additional issues must be considered, depending on the type of incident being investigated:
  - In cases where the incident resulted in a fatality or a potential fatality of an Eskom employee(s) and/or contractor employee(s), the responsible manager, appointed in terms of section 16 of the OHS Act, in whose area an incident occurred, may not be a member of the Corporate Legal Investigation Committee. Such a person may attend the investigation at the discretion of the chairperson as an observer, but will not be allowed to ask any questions during the investigation unless this is for clarity’s sake and through the chairperson.
  - In incidents that resulted in a fatality or a serious injury in such a manner that a member(s) of the public could die, possibly resulting in liability claims, i.e. electrical contact and other incidents including motor vehicle accidents, the following applies:
    - It must be noted that there is a presumption of negligence in cases of electrical incidents, unless the contrary is proved. (See Section 26 of the Electricity Act, 1987.)
    - In the case of an incident where negligence by Eskom is suspected and Eskom could be held liable as a consequence of negligence:
      - The investigation must be conducted under the chairmanship of a legal practitioner to ensure that the Eskom incident investigation report may enjoy legal privilege
      - OU/BUs must involve the Sustainability Systems BU, Eskom Legal Department and other specialists, including the Assurance and Forensic.
    - In cases where the Employer's Investigation positively rules out negligence as a contributing cause, the responsible manager and Safety Risk Manager will consult with both the Sustainability Systems BU and Eskom Legal Departments regarding the need for involving a legal practitioner in the investigation. This excludes incidents resulted in fatalities or where an employee or Eskom contractor employee has been seriously injured to an extent that the injured lost a limb or is admitted to ICU for a period longer than 3 days and after consultation with the Eskom Legal Department.

3.1.7.2 Determine facts and root causes regarding incident

- Determining the facts is in the investigation process, a comprehensive search for the facts is necessary.
- During the fact-finding phase, the Investigation Committee inspects and preserves physical items at the scene of the incident.
- The committee documents all factual information to facilitate further review, investigation and reporting, as necessary.
- This includes determining the control measures that were in place, how effective or efficient these were in avoiding the incident or negating the impact of the incident, and why these control measures performed as they did.
- This information is helpful in determining what additional control measures will be required or how to improve these measures.
- In some cases it may be unclear who was responsible for the incident. It is advisable for all the parties involved to co-operate and interact to determine the facts of these circumstances.
Statements:

Statements are useful in determining the facts. Anyone involved in an incident investigation or who is a witness to an incident with particular information about an incident, is obliged to provide a statement as part of the incident investigation when requested by the chairperson of the Investigation Committee.

The individual’s right to avoid self-incrimination and victimisation must be acknowledged and explained by the chairperson.

The person appointed as the supervisor or the Safety Team leader and with specified health and safety duties in whose area of responsibility the incident occurred, must be called in as a witness at any point in order to give evidence with regard to:

- an explanation of the health and safety systems and processes in place (or not in place) relating to the incident;
- the work-related and technical experience of the individual(s) involved in the incident;
- the qualifications, experience and competencies of the individual(s) involved in the incident;
- supervisory arrangements;
- the arrangements in place with regard to any of the requirements stipulated in terms of section 8 of the OHS Act; and
- any other matter pertaining to the incident.

The person appointed as the supervisor or the Environmental Practitioner and with specified environmental management duties in whose area of responsibility the incident occurred, must be called in as a witness at any point in order to give evidence with regard to:

- an explanation of the environmental management systems and processes in place (or not in place) relating to the incident;
- the work-related and technical experience of the individual(s) involved in the incident;
- the qualifications, experience and competencies of the individual(s) involved in the incident;
- supervisory arrangements;
- the arrangements in place with regard to any of the requirements stipulated in terms of environmental authorisations / permits / licenses; and any other matter pertaining to the incident.

Determining key factors and root causes:

- The key factors and root causes of an incident are determined, because they are essential for making effective recommendations to prevent recurrence. Even when the factors and root causes seem obvious, the investigation committee should use formal analysis to avoid drawing premature conclusions.
- Comprehensive investigations often identify underlying operating/managing systems that have to be strengthened, as well as the more immediate human and/or equipment issues.
- The investigation is regarded as an opportunity to make improvements, rather than to assign blame.
- In most cases root causes can be identified using the root cause analysis technique, which was formed the basis for the design of the root cause hierarchy used in the SAP EHS system.

3.1.7.3 Develop corrective & preventative actions (i.e. safety measures)

- Investigations have to identify the systems and processes that must be strengthened to help prevent recurrence, and enable trend analysis and continuous improvement. Typically, these areas for improvement flow from the key factors already identified and must be noted on the investigation report.
- Recommendations on corrective and/or preventative actions (i.e. safety measures) are made to address the key factors identified as a result of the investigation. These actions must take into account and inform the entire Management system (Safety, Health, Environment and Quality) to ensure continuous improvement.
• There must be at least one recommendation (i.e. safety measure) for each key factor/root cause identified in the investigation. A recommendation has three important parts:
  o A clear description of the recommended action(s) to be taken to prevent recurrence
  o The name/position of the person responsible for implementation
• A start and completion date. Corrective and preventative actions (i.e. Safety measures) should be clearly defined and should as far as possible:
  o Be specific (e.g. the objective to be met)
  o Be measurable (i.e. what are the goals, quantitative/qualitative targets and objectives? How can it be measured that the objectives have been met and that it adequately address the root cause relating to the SHE measure etc.).
  o Be obtainable (i.e. ensure that resources are available. Generic statements e.g. ensure everybody works safely should be avoided.)
  o Described clear responsibilities (e.g. who are accountable, responsible, consulted and informed etc.)
  o Have clear deadlines (i.e. timing of actions)
  o Indicate and address potential risks that can influence the achievement of these objectives and describe how these risks should be mitigated.
  o Address the communication tools/methods and target audiences to ensure that lessons learnt are shared with all stakeholders (i.e. employees and contractors)
• Note: Recommendations and restart criteria/conditions that have to be completed before operations may resume, must be clearly identified. Other recommendations (e.g. longer-term system-related improvements or evaluations) often have a completion date that extends beyond the start-up date.
• In developing corrective and preventative actions (i.e. safety measures), consideration should be given to identify those actions that need to be applied across the whole organisation, whereas others may be specific to the incident.

3.1.7.4 Document and ratify investigation results

• The findings of the incident must be documented in writing in an incident report.
• Reports are written in a manner which enhances and facilitates common understanding of and clarity about the sequence of events, findings and recommendations among all stakeholders not directly involved in the affected area.
• Site-/area-specific terminology and acronyms should be kept to a minimum.
• Specific requirements pertaining to the content and the format/structure of investigation reports for both Employer's Investigations and Corporate Legal Investigations are provided in this procedure to ensure standardisation, quality and to facilitate transforming the report's contents into case studies.
• Once documented, the Employer's Investigation reports must be signed off by the members of the investigation committee and approved by the committee's chairperson.
• Requirements for recordkeeping of investigation reports are also described in this procedure.
• These requirements also address the confidentiality of documents, timeframes for recordkeeping, accessibility of information to a third party etc.
• The Employer's Investigation Report must:
  o reflect the facts and the circumstances surrounding the incident:
  o in the event of suspected negligence with the potential to result in a liability claim, and where the report is not obvious or clear about the aspect of negligence, include a decision on the way forward from the Eskom Legal Department; and
  o be a comprehensive Incident Investigation Report, signed off by all committee members and approved by the chairperson of the Investigation Committee within 14 days after the conclusion of the report.
• Corporate Legal Investigation Report
o All final reports must be treated as confidential and must be kept and controlled by the Eskom Legal Department.
o Operating/business unit Managers can request (in writing) copies of reports from the Sustainability Systems BU which will provide these reports upon the completion of a confidentiality agreement.
o No electronic copies of these reports may be distributed outside the Eskom Legal Department or Sustainability Systems BUs.
o An incident report must in all cases be submitted to the Sustainability Systems BU Occupational Health and Safety Manager.

- General format of incident investigation reports: To standardise the format in which an incident investigation report is published and to facilitate transforming the report’s contents into case studies, the following structure is recommended, but not limited to:
  o the title and executive summary;
o incident description;
o name and contact details of the injured person’s supervisor or manager;
o name and contact details of the persons directly involved in or affected by the incident;
o name and contact details of the person who reported the incident;
o extent of the injury (e.g. injury description such as cut, bruising, etc., the affected body parts, etc.) including the severity of the incidents and the number of days lost (where applicable);
o a description of plant and the nature of the work;
o the sequence of events;
o the findings;
o the immediate/contributing/direct causes of the incident;
o the root cause analysis results, which must be appended to the incident report for sharing and retention;
o the risk that subsequent incidents could occur;
o recommendations with corrective or preventative actions (i.e. safety measures), responsible persons and target dates;
o statement on liability;
o photographs, sketches and test results, etc. that support the content of the report;
o statement on total cost of incident;
o a date, place and page numbers on each page (for example, page 6 of 17), and have a unique reference number on each page;
o the name and details of the contact person should more information be required;
o the names, designations and contact details of the members of the Incident Investigation Committee; and
o the distribution list of all persons who received the report.
o With regard to fire system impairment, any changes to documentation, drawings or as-is building conditions must be included with the original design documentation.

- Template for investigation reports
  o The OHS Act Annexure 1 report is available from the Sustainability Systems BU. If divisions or operating/business units prefer to expand on this template, an exemption in terms the OHS Act must be obtained and should be available.

- General requirements for keeping records of investigation reports
  o Reports must be kept safe and secure. Reports may only be made available to third parties or any other person with the written permission of the Eskom Legal Department. This excludes Annexure 1 (as required in the OHS Act, General Administrative Regulations for Recording and Investigation of Incidents) which is available in the public domain.
o Records must be kept of all section 24 incidents, lost time injuries, medical treatment cases, and fire system impairments on the Annexure 1 form (as required in the OHS Act,
General Administrative Regulations for Recording and Investigation of Incidents) for all 
employees, contractors and members of the public.
  o All investigation reports must be kept and archived for at least 25 years unless another 
period has been specified in legislation or in any court proceedings that may ensue. All 
reports describing an incident involving a minor, must be kept and archived for at least 3 
years after such a person reaches the age of maturity
• Investigation reports to a third party
  o Upon request, the completed Annexure 1 form (as required in the OHS Act, General 
Administrative Regulations for Recording and Investigation of Incidents) that was 
forwarded to the Department of Labour, will be available to the public in consultation with 
the Eskom Legal Department.
  o Professional privilege protects the disclosure of communications between a legal adviser 
and his/her client which is made in confidence for the purpose of enabling the client to 
obtain legal advice. Any other report, in its evidentiary aspects, has legal privilege and 
may only be made available upon written application to and at the discretion of the Eskom 
Legal Department.

3.1.7.5 Review investigation results

• Following the completion of the investigation, the Incident Investigation Committee reviews the 
initial classification and includes the root causes of the incident and ensure that the relevant 
records are amended, if required.
• Investigations by government agencies could also trigger a review of the initial incident 
information captured.

3.1.7.6 Communicate findings

• Communicating the result of incident investigations is a vital component in the effort to prevent 
recurrence and to leverage the lessons learnt more broadly. Communication of the key lessons 
learnt and making systemic improvements are the most effective means of preventing the 
ocurrence of similar incidents in future.
• Communication efforts should take all relevant stakeholders into account.
• Communicating within the operating/business unit:
  o The incident report shall be reviewed with appropriate employees, including Eskom 
employees and contractor employees from the affected area, and those whose job tasks 
are related to the incident findings.
  o Documentation of communications must be maintained, including the date of the 
communication, the manner in which the communication was made, and the names of the 
individuals to whom the information was communicated.
  o Consideration must be given to communicating the findings to other facilities on the site, 
where appropriate.
• Communicating beyond the operating/business unit.
  o It is recommended that all significant incidents should be shared throughout the business 
as appropriate, through relevant networks, so that other sites can benefit from an 
investigation’s results and the lessons learnt.
  o Reports (case studies, announcements, etc.) of all fatalities, lost time injuries or incidents 
that could have resulted in either a fatality or a lost time injury and environmental legal 
contraventions, must be circulated throughout the relevant division to enable operating 
units to record these in their incident tracking system to ensure the implementation of 
applicable recommendations.
• At close-out of the investigation the responsible manager through his/her communication plan must ensure that the lessons learnt from incidents are communicated to all stakeholders. This could be done by means of the following:
  o Case studies that must be published on the Eskom Intranet after verification.
  o Reports (case studies, announcements) on the incidents that occurred at an OU/BU must be circulated throughout the relevant division for OU/BUs to record in their incident tracking system, so as to ensure the implementation of applicable recommendations.
  o Applying the tools described

<table>
<thead>
<tr>
<th>Tool</th>
<th>Proposed application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Announcements</td>
<td>All Eskom employee and contractor employee fatality incidents or other serious incidents must be communicated in the form of an Announcement to Eskom's Board; Exco; Exco Manco; Eskom managers; the relevant Eskom employees and contractor employees. Supervisors are responsible for ensuring that announcements are communicated to employees who do not have access to a personal computer.</td>
</tr>
<tr>
<td></td>
<td>It is the responsibility of the responsible manager to inform the Sustainability Systems BU of such a fatality. Sufficient information must be supplied to complete this announcement. The Sustainability Systems BU in conjunction with Corporate Communication Department must prepare the announcement for distribution within one working day.</td>
</tr>
<tr>
<td>Presentations to EXCO (Manco)</td>
<td>Presentations must be made to EXCO (Manco) on all employee and contractor fatalities by the relevant Divisional Executive or appointed General Manager, and environmental legal contraventions, in terms of the Operational Health Dashboard by the relevant EEE Band Manager. The relevant information captured in the investigating report has to be used for the mandatory presentation to EXCO (Manco) at quarterly intervals.</td>
</tr>
<tr>
<td>Safety Incident Feedback Report</td>
<td>The responsible manager is responsible for compiling a concise report on all fatalities, lost time injuries or incidents that could have resulted in either a fatality or a lost time injury, immediately but no later than one week after the Employer’s Investigation Report has been completed. The Safety Incident Feedback Report must state the lessons learnt which need immediate actions that can be implemented to prevent similar incidents from occurring and must be communicated to the Sustainability Systems BU for further distribution to all relevant stakeholders</td>
</tr>
<tr>
<td>Case studies on employee and contractor fatalities.</td>
<td>These case studies must be compiled by the OU/BU and forwarded to the Sustainability Systems BU within 10 working days after the presentation was made to EXCO (OPS), as they provide additional recommendations. The Sustainability Systems BU will forward the case studies for editing to the Eskom Legal Department. Once the final edited case studies are available, the Sustainability Systems BU will publish them on the Sustainability Systems BU Intranet website and notify senior management and Health and Safety Practitioners that the case studies are available and how they can be accessed. Note: deaths from natural causes, suicide(s) or fatalities as a consequence of a private/family/confidential nature, are excluded from the above requirement.</td>
</tr>
<tr>
<td>Tool</td>
<td>Proposed application</td>
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</tr>
<tr>
<td>Case studies on electrical contact incidents</td>
<td>Case studies on all electrical contact incidents (only Eskom employees and contractor employees) must be compiled by the OU/BU within 10 working days after the Employer’s Investigation Report has been completed and forwarded to the Sustainability Systems BU, which will forward the case study for editing by the Eskom Legal Department. Once the final edited case study is available, the Sustainability Systems BU will publish it on the Sustainability Systems BU Intranet website and notify senior management and Health and Safety Practitioners that the case study is available and how it can be accessed.</td>
</tr>
<tr>
<td>Case studies on lost time injuries</td>
<td>Lost time injuries (other than employee or contractor fatalities, or electrical contact incidents) must be compiled by the OU/BU concerned, within 10 working days after the Employer’s Investigation Report has been completed and published on the divisional website(s) or formally communicated within BUs and/or divisions by the applicable OU/BU or division, as appropriate.</td>
</tr>
<tr>
<td>Case studies on technical incidents</td>
<td>Case studies on technical incidents and any other major plant loss incidents are to be made available in the form of a one-pager by Assurance and Forensic to the Sustainability Systems BU within 10 working days after the Employer’s Investigation report has been completed in order to identify and evaluate any lessons to be learnt regarding health and safety. Note: In the case of technical related incidents involving the potential of</td>
</tr>
<tr>
<td>Case studies on public fatalities</td>
<td>Case studies on public fatalities are compiled by the OU/BU concerned within 10 working days after the Employer’s Investigation Report has been completed and published on the divisional website(s) or formally communicated within OU/BU(s) and/or divisions by the applicable OU/BU or division, as appropriate.</td>
</tr>
<tr>
<td>Case studies on public incidents</td>
<td>Case studies on public incidents, excluding fatalities, are compiled by the OU/BU concerned within 10 working days after the Employer’s Investigation Report has been completed and published on the divisional website(s) or formally communicated within OU/BU(s) and/or divisions by the applicable OU/BU or division, as appropriate.</td>
</tr>
<tr>
<td>Cases of environmental legislation contraventions in terms of the Operational Health Dashboard</td>
<td>Case studies shall be prepared and accepted by the ELC and distributed to the Divisions by the Divisional ELC Primary Members.</td>
</tr>
</tbody>
</table>

- The following minimum information must be included in the case studies: Incident description, findings, causes, recommendations and specific lessons learnt. All personal details must be excluded from the case studies.

### 3.1.8 Update Incident Record

- If, at the completion of the investigation, the Incident Investigation Committee (or third party investigation) identified a change in the initial classification, the relevant records in SAP EHS system must be amended.
• Results from the investigation itself e.g. root causes, recommendations for corrective and preventative actions (i.e. safety measures), responsible parties, timeframes for completion of activities, environmental legal contravention / environmental legal contravention in terms of the Eskom Operational Health Dashboard (OHD) or event etc. must also be captured in SAP EHS system to ensure that the implementation of these actions can be tracked and monitored.

• Once investigation results have been updated on the SAP EHS system (including root causes and Safety measures), the status of the incident on the SAP EHS system must change from In Process to Conference.

3.1.8.1 Capture Incident Investigation Data

• All facts, findings and lessons learnt regarding the incident investigation must be captured on SAP EHS system at this point.

3.1.8.2 Capture Causes on Cause Hierarchy

• The Cause Hierarchy functionality on SAP EHS system allows one to assign causes to an event, which you select from one or more cause hierarchies.

• The cause hierarchy is integrated with the industrial hygiene and safety measure object, thereby allowing direct navigation from the cause hierarchy to the safety measures screen and assign a corrective and preventative measure (i.e. safety measure) to a cause.

3.1.8.3 Classify Safety and Environmental Measure by Type

• The Technical Safety Measures for incidents are sent to SAP Plant Maintenance system instance for the implementation thereof.

• A notification is created on Plant Maintenance to notifying them of a maintenance task from EH&S.

3.1.8.4 Assign Safety and Environmental Measure to Responsible Person

• The Environmental manager or the Safety manager is responsible to assign in SAP EHS System the safety and environmental measures to the relevant stakeholders as identified by the Investigation Committee Chairperson.

3.1.8.5 Note: The relevant stakeholders/employees assigned by the Investigation Committee Chairperson takes responsibility for the implementation of the safety and environmental measures of the incident that occurred. Update Classification & Print Flash Report

After completing the investigation there might be a need to change the classification of the Incident and there might be a need to print the flash report again with updated information.

• The designated person is responsible for the approval of reclassification of incident severities must be consulted before the classification is changed. The supporting investigation documentation must be adequate to justify the reclassification.

• Where reporting will be affected by reclassification, the updated SAP EHS System generated flash report must be resent to the relevant stakeholders.

• Reports (case studies, announcements) of incidents which occurred at an OU/BU must be circulated throughout the relevant division so that other OU/BUs can ensure the implementation of applicable recommendations to prevent the recurrence of similar incidents.

3.1.9 Implement & Monitor Appropriate Action

• The Operating/Business Unit Manager are, as the responsible manager, responsible for reviewing/analysing the recommendations made in the Incident Investigation Report, assigning
responsibilities to the relevant line managers and providing the necessary resources to implement the recommendations made, within a reasonable time frame that does not expose persons to risk for an unnecessarily long period and to prevent recurrence of the incident.

- The Operating/Business Unit Managers are also responsible to track the recommendations that were implemented by following up on progress made.
- The SAP EHS system has an automatic escalation process for overdue safety measures.
- Tracking of implementation of recommendations are done e.g. physically on site, via the Statutory Health and Safety Committee and/or through records updated via the SAP EHS system. The effectiveness of remedial steps must also be assessed by testing the implemented actions where possible. These records pertaining to the implemented actions, must be kept for at least three years.
- After completion of all actions relating to a particular incident, any independent and objective person must verify within three months, that the actions have been taken. Once verification has been completed, the file on a particular incident can be signed off and the incident closed.
- These activities can have a link to other internal Eskom stakeholders e.g. HR, Industrial relations, Plant Maintenance etc. and are described in detail in this procedure.

3.1.9.1 Effect Implementation of Corrective Action

- The information obtained from the incident investigation triggers a review of the entire management system (safety, health, environment and quality) where applicable, which includes:
  - updating the existing risk assessments,
  - the man-job specifications, the safe work procedures,
  - method statements, work instructions, etc.
- In minimising the risk associated with a hazard, the aim must be to reduce the risk as far as is reasonably practicable.
- The purpose of the analysis phase is to review the outcomes of the investigation process, recommendations made and to review what system changes ought to be made to address and reduce the risks.
- A distinction should be drawn between intermediate and long-term solutions.
- Where the provision of personal protective equipment is issued as an intermediate action to reduce a risk, the hierarchy of controls (described in this procedure) must be considered to ensure that a practical long-term solution is provided.
- This includes a consideration of the following generic objectives:
  - Terminating or eliminating the hazard – this risk control technique is aimed at avoiding the risk by completely eliminating the present hazard.
  - Transferring the risk.
  - Treating to reduce the risk – this includes techniques to minimise or stop potential losses.
  - Tolerating the risk – only if it is proven that other alternatives cannot be implemented because they are not reasonably practicable.
- If management declines or rejects a recommendation, the site shall document, in writing and based on adequate documented information or analysis, motivate it as described in this procedure.
- Recommendations can be declined if one or more of the following conditions are true:
  - The analysis on which the recommendation is based, contains material factual errors.
  - The recommendation is not necessary to protect the health and safety of the responsible manager’s own employees, contractor employees, or the health and safety of the community, wildlife or the environment.
  - An alternative measure would provide a sufficient level of protection.
  - The recommendation is not feasible.
• This decision has to be documented, approved by the chairperson of the Investigation Committee and should provide the motivation and/or justification for the decision. An alternative recommendation must be provided to address the key factor.
• The documentation shall be retained as part of the official record of the investigation. (It should be noted that a risk assessment must be done to ensure that the new improvement does not create an additional risk or increase the existing risk.)
• Each site must develop and implement a system to address recommendations.
• To help ensure the prompt follow-up and close-out of recommendations from an incident investigation report, such system must provide periodic status reports to site management until all recommendations have been acted on and closed.
• The statutory Health and Safety / SHE / SHEQ Committee meetings also track the recommendations, target dates, accountable person(s) identified during investigations and note in the minutes the discussion points on the progress made with the implementation of recommendations.
• These minutes must be kept for at least three years.
• In the case of environmental, health and safety-related incidents, the implementation of all recommendations from incident investigations is monitored at intervals not exceeding three months, until such time as the file on a particular incident is closed.
• Completed actions on recommendations must be documented and include a specific description of what was done to satisfy the recommendation.
• Responsible managers have to ensure that the recommendations, target dates, accountable person(s) identified during investigations are tracked by means of the minutes of Statutory Health and Safety Committee / SHE / SHEQ meetings.
• These minutes must be kept for at least three years.
• If an individual performance issue has been identified, the course of action is redirected to Eskom’s performance management system.

3.1.9.2 Determine if implemented action aligns with requirements

• The responsible manager must ensure that the control measures as set out in the investigation report provided are tested to ensure that they are effective, sufficient, appropriate and in line with the intent of the Investigation Committee.
• The aim of these activities is to prevent or reduce similar events from occurring and to ensure that the control measures taken do not create new risks.
• Line divisions must refer to their respective division’s management standards, for example in the case of environmental legal contraventions, potential public liability claims arising from grass fires, low-hanging conductors, unlocked mini-sub, etc.
• In the case of environmental, health and safety related incidents, the implementation of all recommendations from incident investigations is monitored at intervals not exceeding three months, until such time as the file on a particular incident is closed.
• Regular monitoring is done to evaluate the effectiveness of the actions taken to reduce incidents and prevent similar incidents from occurring.
• Feedback on the results of and lessons learnt through monitoring must be given to staff and other stakeholders.
• Monitoring activities could involve activities such auditing, surveys and focus groups, and comparing performance with the relevant indicators.
• The results of monitoring activities could indicate the need for a follow-up investigation, the composition of the investigation committee, and whether the final report has to be produced by a legal practitioner to enjoy legal privilege, etc.
3.1.9.3 Review & Revise Relevant Action Plans

In cases where implemented actions are ineffective and not addressing the recommendations of the investigation committee’s relevant action plans, the ineffective actions needs to be reviewed and revised so that appropriate safety measures can be identified and assigned to responsible persons.

3.1.9.4 Compile & Communicate Lessons Learned

- The responsible manager is responsible for putting a plan in place to ensure the sharing of information arising from lessons learnt and the successful implementation of actions and improvements, to all employees throughout the organisation.
- Feedback is a vital part of incident management and is given to all stakeholders, including the injured and other employees, as well as the person who initially reported the incident. The open discussion process runs in parallel to the incident management process and is initiated as soon as the priority rating has been allocated.
- The responsible manager is responsible for fostering a culture and environment that promote feedback to all stakeholders and enable the sharing of lessons learnt from incidents as well as the successful actions taken to prevent similar events from occurring.
- The responsible manager is responsible for providing feedback to the injured and to other employees by following the key feedback principles. The responsible manager is responsible for presenting the findings of the incident investigation and analysis at team meetings. This feedback includes the production and discussion of incident reports on a regular basis. This assists with sustaining the improvements.
- The responsible manager is also responsible for creating and maintaining a state of “informed alertness” among employees by passing on information to make them aware of hazards and risks.
- Sharing of lessons learnt can be done by:
  - Publishing of Incident Feedback reports within 3 days after incident in order to share the lessons learnt with the OU. In case of fatalities and serious incidents Eskom wide. (See annex L)
  - Publishing case studies on the lessons learnt from incidents on e.g. the Eskom Intranet after verification.
  - Circulating reports (e.g. case studies, announcements) of incidents that occurred at a OU/BU throughout the relevant division for other OU/BUs, to ensure the implementation of applicable recommendations.
  - Other means could include minutes of team meetings, newsletters and other auditable communication strategies.
- The process for developing Incident feedback reports are as follows:
  - Step 1: Appoint an Administrator at the respective OU/BU and divisional offices.
  - Step 2: Each Administrator prepares a summary with the various Lessons Learnt from previous incidents which occurred in the last 6 months to five years. This information shall be extracted from the SAP EHS system and provided by the safety departments of the various OU’s and divisions. Fatalities will be provided by Eskom Strategy & Risk Management Department at Megawatt Park. Information on these summaries shall include:
    - Summary of what happened?
Key lessons learnt from incident

- Step 3: Each National Administrator shall forward the summary via e-mail to the Risk Management departments (OU/BU Co-ordinators to be appointed) at the various OUs within the respective Divisions. Lessons Learnt must be updated and sent to OU’s on a bi-weekly basis. We actually want it to be shared within 7 days after the incident.

- Step 4: The OU/BU Co-ordinators shall forward the summary via e-mail to Middle Management/ supervisor/ Team Leader to discuss Lessons Learnt to their staff and stipulates due date for close out of action.

- Step 5: The Middle Manager / supervisor/ Team Leader either discusses the lessons learnt himself/herself with staff or delegates to a responsible person to discuss with staff. Staff are required to sign a register confirming that the Lessons Learnt were discussed with them. Middle Manager / supervisor/ Team Leader to prepare appropriate questions on the Incident under discussion in order to test understanding of lessons learnt from employees.

- Step 6: Such register shall be forwarded to the OU/BU Co-ordinator to be kept on file for audit verification purposes.

- Step 7: Confirmation that the Lessons Learnt was shared with the staff shall be captured on the summary by the Middle Manager / supervisor/ Team Leader and closed off.

- Note: The Middle Manager / supervisor/ Team Leader needs to capture who communicated the Lesson Learnt, how it was communicated and when (date) the Lessons Learnt were shared with his/her staff and confirm that registers have been signed and sent to OU/BU Co-ordinator a proof.

- Step 8: The OU/BU Co-ordinator monitors close off of Lessons Learnt and on a monthly basis provides updated feedback to the National Administrator.

- Step 9: The OU/BU Co-ordinator shall report progress to the OU/BU Responsible Manager (filter to be done on summary of Lessons Learnt which items have not been closed off).

- Step 10: Audits on registers to be carried out to verify/confirm that Lessons Learnt have been shared with staff. Random Samples to be taken.

- Step 11: Repeat incidents discussion at irregular intervals to reinforce the lessons learnt

- The following key principles must be considered when giving feedback:
  - Openness and timeliness of communication
  - Expression of sympathy/condolences to demonstrate concern/care
  - Recognition of the reasonable expectations of the injured and their support persons
  - Support for staff members
  - Confidentiality of information.

- Feedback to the injured
  - The responsible manager is responsible for liaising with the injured and, if required, their families and dependants.
  - Irrespective of the level of response to an incident, the injured must be fully informed within 24 hours of the acknowledgement of the incident. At the first meeting with the injured, the responsible manager should provide:
    - an explanation of what happened, the immediate effects and the prognosis;
    - an expression of condolences/apology which does not assign blame to any person or legal entity; and
    - the names and contact details (e.g. phone numbers) of the people in the facility who are available to address concerns and complaints, including psychological and social support contacts.

- Feedback to other employees
  - The following is a summary of the requirements pertaining to providing feedback to other employees:

<table>
<thead>
<tr>
<th>Feedback to the person who notified that the incident occurred</th>
<th>The person who notified that the incident occurred must receive feedback on the results of the investigation and actions for</th>
</tr>
</thead>
</table>

CONTROLLED DISCLOSURE
When downloaded from the EDC database, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the database.
Feedback to others involved in or affected by the incident

<table>
<thead>
<tr>
<th>Improvement.</th>
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<tbody>
<tr>
<td>Other employees involved in the incident must receive feedback as a member of the team. It is good practice to reflect on the incident from both a team and individual perspective by asking: “What can you (team) or I do to prevent this incident from happening again?”</td>
</tr>
</tbody>
</table>

- This plan should consider the available tools, target audience, and must be aligned to the overall EHS Communication plan. More requirements pertaining to Communication is described in this procedure.
- Prohibition on sharing information with members of the general public: No person may distribute any photo or other evidence to anyone not involved in the investigation unless it is done with the permission of the relevant responsible manager and the Eskom Legal Department.
- Contact with the media: No opinions, press statements or comments or any other form of communication may be provided by Eskom employees to the media or any third party, unless they have been formally authorised to do so. Any enquiry must be referred to the relevant media spokesperson.
- Statements - Admissions of responsibility and liability: The assessment of liability or responsibility is a legal issue for a court of law to decide. The employees involved cannot accurately assess liability and/or responsibility, and may under no circumstances admit and/or declare responsibility or liability to any person or official whatsoever. The Eskom Legal Department shall assist and advise employees in this regard.
- Statements made outside the formal investigation process: Any statement made, which is not part of the formalised investigation process, may only be provided to another person on the advice of or as requested by the Eskom Legal Department. This excludes statements to the national South African Police Service after a motor vehicle incident.
- Implication of the Promotion of Access to Information Act: The Eskom manual in compliance with the Promotion of Access to Information Act, will assist the requestor with requesting information from Eskom. Whenever a third party requests information about an incident, the request shall be made in writing by the requestor and it must be directed to the Eskom Chief Information Officer.

### 3.1.9.5 Print and circulate Incident Safety Feedback Report

- Incident Safety Report (which is an environmental, occupational health and safety report) is circulated to inform business of the Recommendations & Lessons Learnt from an Incident investigation.
- Different report outputs exist within SAP, in PDF format and a large PDF at 1.5Mb with custom fonts and formatting.
- Critical report used for incident reporting within Eskom to communicate business to inform of Recommendations & Lessons Learnt to prevent repeat incidents.

### 3.1.10 Close-out Incident

- Close-out is the final step in an investigation to verify that all recommendations have been implemented and that results and lessons learnt are shared.
- The status of incidents with the status “conference” can only be changed to “Closed” once all the safety measures associated with that incident has been completed, verified and status changed.
to “closed”. Incidents status should not be changed to “close” if there are still incomplete safety measures associated with the incident.

- It requires ensuring that the effectiveness of remedial steps, including that of environmental rehabilitation / restoration, have been assessed and found adequate to prevent repeat incidents from occurring.
- It also includes the assessment of the communication activities that took place to ensure that other stakeholders were informed and empowered with enough information to implement corrective and preventative actions (i.e. safety measure) to prevent repeat incidents in their areas of responsibility and to ensure continuous improvement. More information is provided in this procedure on this matter.
- The OU/BU Managers are, as the responsible manager, responsible for ensuring that all incidents are followed up and closed out. The effectiveness of remedial steps must also be assessed.

### 3.1.10.1 Close Safety Measures

- Once the incident has been investigated, root cause analysis done and safety measures (these include environmental, occupational health and safety measures to close out the incident) have been reviewed and the effectiveness rating has been assigned to the safety measure, the safety measures are closed off by changing the status to ‘close’ in SAP.
- Reporting on implementation of recommendations, corrective and preventive actions (i.e. safety measures)
  - For all incidents rated as a High or Extreme Priority (see Annex C), within three months after publishing the final investigation report, the responsible manager must ensure that follow-up audits are conducted by an independent person on the progress made with the implementation of the actions identified in the investigation report.
  - The audit findings must be given in the form of a report specifically on the plans of action implemented to address the recommendations. This progress report, stating the status of the implementation of recommendations, must be forwarded to the following:
    - The chairperson of the original Investigation Committee
    - The responsible manager appointed in terms of section 16 (2) of the OHS Act
    - The Occupational Health and Safety Risk Managers and/or practitioners
    - The Sustainability Systems BU’s Occupational Health and Safety Manager
    - The OU/BU/divisional Auditing Department.
- Confirmation of completion of task: The effectiveness of remedial steps must also be assessed.
  - Prior to the final closure of a recommendation, the site management must determine that the completed task has addressed the intent of the recommendation. In addition, it is recommended that the system should include verification of the implementation and effectiveness of the corrective or preventative action (i.e. safety measure) taken.

### 3.1.10.2 Change Status to Close

The incident must be reviewed and the status set to Closed in SAP EHS system only after the incident has been investigated, the root cause analysis done and the safety measure closed off.

### 3.1.10.3 Run Incident Management reports

- A consolidated report that displays all the fields captured on the Incident / Accident Log for further analysis by various users. Includes all the Eskom specific fields added using SAP EHS system classification, which the standard reports do not include.
- This report is used to identify trends and analysis as well as data verification and assurance and quality control.
• **Incident statistics and reports:** Operating/business units and Divisions must provide monthly or quarterly incident statistics to inform management of their health and safety performance measures.

• Operating/business units must ensure that all health and safety performance measures, including medical reports are reconciled and consolidated monthly for reporting purposes. The Sustainability Systems BU shall undertake quarterly data reconciliation and monitoring process to ensure completeness and accuracy of information reported by divisions and operating/business units. Once data has been verified and signed off, it shall not be altered without following the proper change process.

• To ensure consistency, all calculations should be done as stipulated in this document and an audit trail of the formulas and the calculations must be available.

• The due dates for reporting these agreed indicators and/or metrics must be agreed and communicated at the beginning of the calendar year. The persons appointed and accountable for the consolidation of information must ensure that information is received in time so that they can honour the agreed due dates for reports.

• Divisional and Eskom group reports must be made available on the applicable Intranet sites to ensure the availability of the performance-related information to other stakeholders.

• Additional information from operating/business units and/or divisions might be requested on an ad hoc basis from the Sustainability Systems BU as required for reporting purposes.

3.1.10.4 **Scan and attach relevant documentation**

Scan and attach all relevant documentation (initial notification report, first version SAP EHS system generated flash report, WCL2 and 4, photographs) documentation on SAP

4. **COMMUNICATION PLAN**

The responsible manager, the relevant health, safety and environmental specialists and the Group Communications Department must jointly develop, agree on and implement a communication plan to address the communication requirements of this procedure and to prepare for incidents and/or emergency conditions in which one or more of the following occurred, which could potentially have a negative effect on the brand and image of Eskom and/or result in urgent enquiries from the media, authorities, major customers; large groups of customers and/or other stakeholder groups:

- Incidents and/or emergency conditions that have or could have a significant environmental impact.

- Incidents and/or emergency conditions where the safety and/or health of an employee, contractor or member of the public have or could have been negatively affected.

The proposed scope and content of such a plan, as related to incident management, is described.

5. **MISCONDUCT AND DISCIPLINARY PROCESS RELATING TO CONDUCT EH&S INCIDENT MANAGEMENT**

Any transgression of any of the following will be treated as misconduct, must be investigated and could result in initiation of the disciplinary process:

- If misleading information is deliberately supplied or information is deliberately withheld.

- If evidence is wilfully withheld, removed, disturbed or tampered with or distributed without the relevant permission.

- If witnesses or any person involved in the incident investigation process is victimised or intimidated.

**CONTROLLED DISCLOSURE**

When downloaded from the EDC database, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the database.
• If notification of incident is not given within the specified time frames.
• If prioritisation of the incident is deliberately, wilfully manipulated to indicate a lower priority.
• If any incident is not fully investigated within the time frames specified.
• If incidents are deliberately, wrongfully classified.
• If any incident is not recorded.
• If plans of action are not implemented within the agreed time frames.
• If the effectiveness of controls is not assessed or tested within a reasonable time frame.

Disciplinary process
The disciplinary process must collect its own evidence

Eskom takes a ZERO TOLERANCE stance on health- and safety-related at-risk behaviour. Eskom will therefore view in a very serious light any lack of adherence to the following rules, regarding but not limited to, at-risk behaviour:

• No person may disregard any requirements contained in applicable legislation, e.g. the OHS and NEMA Acts, this and other relevant Eskom documents, site-specific health, safety and environmental requirements, and requirements contained in the health, safety and environmental specifications and health and safety plan, while performing work on Eskom sites or on any other site in the course and scope of his/her employment.
• No person may perform an unsafe act or create an unsafe condition that will pose a danger to him/her and/or to other persons at work and that will cause or may cause significant pollution or environmental degradation.
• Non-adherence to any of the above rules identifying risk areas/at-risk behaviour could result in a disciplinary process, where the Disciplinary Committee will have the power to issue the most severe penalty (including dismissal).
• The outcomes of the Incident Investigation Process can therefore, where relevant, indicate misconduct as a contributing factor in the events that preceded the incident. The Investigation Committee will decide how to deal with this misconduct.
• However, in addition to the acts of misconduct identified prior to the incident, misconduct may also occur after the incident took place, as described in the list of actions described in this procedure. It is the responsibility of any person aware of such misconduct to report this misconduct to the responsible manager. It is the responsibility of the responsible manager to take the appropriate action that is stipulated in the disciplinary code.

6. AUTHORIZATION

Not applicable
7. REVISIONS

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<th>Compiler</th>
<th>Remarks</th>
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<td>October 2011</td>
<td>3</td>
<td>K Terblanche</td>
<td>This document was compiled to address the PCM, and in line with the objectives of the Back to Basics project</td>
</tr>
<tr>
<td>18 February 2010</td>
<td>2</td>
<td>SN Middel and Karen Terblanche</td>
<td>Correction of document and application date of document</td>
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<tr>
<td>15 February 2010</td>
<td>1</td>
<td>SN Middel</td>
<td>Withdrawn due to technical reasons and incorrect application date of document.</td>
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8. DEVELOPMENT TEAM

The following people were involved in the development of this document:

- OHSLC members:
  - Kerseri Pather.

- Mandated OHSLC representatives
  - Pulane Raophala
  - Karen Terblanche

- ELC members:
  - Dave Lucas

- Mandated ELC representatives
  - Inba Pillay

- Fanele Mondi B2B Project sponsor

9. ACKNOWLEDGEMENTS

None