

What to ask and look for when writing an incident report.

Our first and foremost concern is the safety of our guests, visitors and employees. In the legal world, we deal with negligence when it comes to levels of liability. Negligence is concerned with unintentional fault or carelessness resulting in injury. Simply, negligence deals with avoidable accidents that should have been predicted or anticipated and avoided or prevented by taking reasonable precautions. Whether or not harm was intended, one may still be negligent, if he/she failed to take reasonable steps to prevent a possible accident. In short, negligence is the failure to act in accordance with the corresponding standard of care.

While this sounds like something to be interpreted by lawyers, judges and ultimately a jury in a courtroom, it is extremely relevant and germane to the hospitality business.

The detailed information in an incident report may seem mundane, but will ensure that any questions about our responsibilities or standard of care are answered as they occurred.

The following paragraph is a fictional scenario developed to encourage expansive thinking when evaluating the facts of an event that will need to be documented in detail on a report.

As simple as an 'incident' may appear, all the details surrounding the incident need to be described. Some of it is common sense, more often than not, things are left out simply because the author feels they are not important.

Think of it like a crime has been committed against you. The police are going to ask you questions that may seem irrelevant at the time, but are fresh in your mind, to help identify the offender. This also allows the police to listen to your side of the story and documenting so that when they speak to the suspect they can use that information in their line of questioning.

Questions they might ask are:

1. What time did it occur, exactly?
2. What was the weather like when it occurred?
3. Which way were you facing when it occurred?
4. Was anything happening that seemed suspicious prior to the incident?
5. What were you wearing, driving, eating, drinking or looking at. Why?
6. Why were you here?
7. Were you walking or standing?
8. Were you alone or were with friends/family?
9. Were you on the grass or on the sidewalk?

Basically any 'who, what, when, where, why and how' questions you can think of no matter how unimportant they may seem to be at the time, should be included.

The following criteria are the minimum amount of information that should be included. However, more often than not, it's the subjective opinion and observations of the witnesses of an incident that provide the most valuable information. So though you can have a ten page form, the hand written description is usually the most helpful, or damaging.

The following is an example of how an incident report should be written for a somewhat minor situation.

Incident Report Room 1221 June 7, 2015

At approximately 10:30a I was in the lobby and Erin asked for my assistance. She said that Mrs. Guest in room 1221 had fallen and that Yarmouth rescue was on the way and asked if I would direct them to the room. I then radioed Chafik to stand by B door while I stood near outside pool to point them toward him.

I then proceeded to the room and observed that Mrs. Guest was sitting upright on the floor, seemingly unhurt, which she confirmed to the paramedics. She just was unable to get herself up and her husband was not physically capable to help her. She said she "stubbed her toe and down I went".

The paramedics treated a slight abrasion on her left arm that appeared to have been from scuffing her elbow along the rug. While they were treating Mrs. Guest and I began to chat with her and said well the best thing is that you have a smile on your face! She smiled even more, I asked her how she stubbed her toe and she said she was probably walking to fast and she stubbed her toe with her sneaker and it grabbed the carpet and down she went. At this time the paramedics left and told her to follow up with them if needed.

I checked the area where she stubbed her toe casually and there is no indication of any rise in the carpet or other abnormality that might have caused her to trip. She also told me that they had been in a head on collision and she had a steel rod from her ankle to her knee and that it gave her much less mobility than she had previous to the accident.

Our conversation continued for another 10 minutes or so and I found they were original owners and how much they enjoy The Cove. They indicated they remember Michael introducing me at the last board meeting. I again repeated that if there was anything I or the front desk could do to help, not to hesitate to call either of us.

Fortunately, Mrs. Guest was not seriously hurt and was in tremendously positive spirits anxiously awaiting friends from New Hampshire to visit later today.

What are some of the **facts** here that could be helpful to assuring the Property wasn't negligent?

1. Rescue was called by Erin. (documented)
 - a. Had Erin not called YFD, could be viewed as negligent.
2. We assisted the YFD in locating the room to ensure timely response. (documented)
 - a. If assistance not given, time it would take YFD to find the room, not in this case, but could lead to more serious injury or death.
3. Manager went to the room with YFD. (documented)
 - a. If a representative of resort did not attend to incident, everything in report would be considered hearsay in court. We've all seen on TV, "so sir, you SAY this happened, but you didn't actually SEE what happened? Is that right, sir?"
4. Observation documented of injury from layperson's point of view.
 - a. Again, documentation firsthand of injury etc..
5. Inquiry as to cause of injury, allowing victim to tell what happened. (documented)
 - a. The victims words quoted directly are hard to argue with later on.
6. Investigation of flooring where she tripped. (documented)
 - a. Probably the most important. Why did she get hurt? Our negligence (rug, flooring installed wrong, water/liquid on floor)? Her shoes, her medical history etc..)
7. Discovery of previous medical issue that could be relevant. (documented)
 - a. Hard to argue that her lack of mobility couldn't be considered as a reason why she may have tripped or lost her footing.