Annual Workplace Safety and Health Conference

When the Worst Case Happens – Successfully Managing Major Incident Investigations

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Investigations Are Projects

- Major investigations bear every resemblance to major projects and should be managed accordingly.
- Must be clearly scoped as quickly as possible (project statement of work).
- Investigation Team = Scratch Team
- Should follow a traditional project management life cycle:
    1. Initiate
    2. Plan
    3. Execute
    4. Control
    5. Close

Who Are You Going to Call?

- Executive management
- Corporate risk management
- Insurance company
- Legal department
- Public relations / corporate communications
- HSE department
- Regulatory authorities
- Crisis management team
- External consultants and contractors

Scope of the Investigation

- Root cause
- Contributing cause(s)
- Site only?
- Business unit?
- Organization-wide?
- What didn't go as expected?
- What went right?
- Mitigating factors
- Failed barriers
- Response evaluation?

Investigation Command

- Who is in charge and authorized to make timely decisions?
- When will the incident fully transition from emergency response to investigation and recovery?
- The investigation cannot interfere with the emergency response, but … the sooner it starts, the more likely the investigators will be able to identify and preserve critical evidence.
- Will an effort be made to manage the investigation as privileged work product?

The Investigation Team

- Managing major investigations successfully requires significant project management experience with investigations, a great deal of tact and diplomacy, endless patience, and willingness to go the distance all the way to investigation closure.
- Ensure that the experts assigned will be viewed as credible (internally and externally).
- Identify and avoid conflicts of interest.
- Find the right experts for the problem.

Planning

With due consideration for the scope of the investigation, it is key to estimate and plan the following:

- Schedule
- Budget
- Staffing
- Time required on scene
- Time until the site is released back to operations or site owner
- Lab backlog and processing time
- Time to draft report
- Time to final report

Safety

- Is it safe for investigators to begin their work, and have all major hazards been identified?
- Is there any risk of a secondary incident?
- Is the correct PPE on site and readily available?
- Is assigning medical or rescue standby appropriate?
- Achieve positive control of energy sources.
- Have a safety plan for the investigation and use it!

Evidence Management

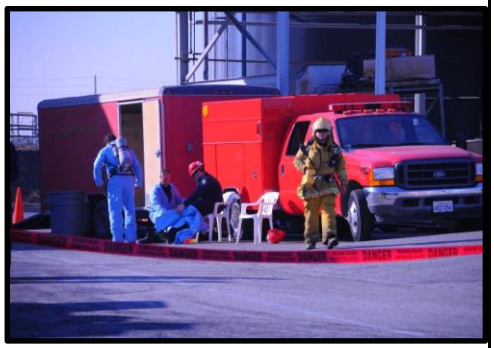
- Evidence collection and management protocols
- Designated evidence custodian
- Evidence and scene access logs
- Chain of custody considerations
- Temporary on-site storage of evidence
- Take care to avoid future spoliation claims

Information Management

- Confidential vs. public Information.
- “Need to know” and NDAs.
- Have an investigation communications plan (don’t be cannon fodder for the news media).
- Communicate early and often.
- Don’t neglect internal communications!
- Make sure the person(s) managing communications have the latest information and know what can be readily shared.
- No speculation!!

Playing Well with Others

- Pooling of resources.
- Coordination of messaging.
- Recognition that everyone has a job to do.
- You will very likely need the assistance and cooperation of other parties involved in the investigation.
- Assign someone to the investigation team as a liaison officer to the other parties.
- Incident investigation is a team sport (or it should be)!



Logistics

- Contracts and procurement.
- Take care of the basic human needs quickly.
  - Sleeping quarters
  - Food and water
  - Basic hygiene
  - Laundry
- Secure office space for the investigation team.
- Evidence storage (on and off site)
- Identify other needed resources (equipment, people, expertise).

People First

- Be proactive about getting help for employees and other parties affected by the incident.
- Be observant and ensure that people assigned to the investigation team are coping with the stress of the work in a healthy manner.
- Actively manage fatigue risks.
- Help the team members stay in contact with their family and friends while the investigation is ongoing.

Resuming "Normal" Operations

- Start from the beginning of the investigation with a definition of what "normal" operations should look like post incident.
- Keep focus squarely on determining the root cause and contributing cause(s) but remember that the incident consequences are far-reaching for employees, the public, shareholders, customers, etc.
- Facilitating the return to normal operations should be a key consideration for the investigation team.

Investigation Closure

- Termination of major investigation activities.
- Investigation team members and support staff released.
- Secure archive and storage of investigation documents and related media.
- Secure storage of critical physical evidence that may be needed for future legal proceedings.
- Final opportunity to ensure that you have dotted every "i" and crossed every "t."

Investigation "Hot Wash"

- Conducted within 30 days after completion of the final report.
- Identification of what went well during the investigation … and what didn't go so well.
- Invite the stakeholders.
- Can help provide the investigators and stakeholders with closure.

Questions?

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