



RenewableUK: Health and Safety Circular

Reporting requirements under the ESQC Regs. 2002

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1. Background

RenewableUK have been made aware that there is some confusion within the renewable energy sector as to the scope and application of the reporting requirements set out under the Electricity, Safety, Quality and Continuity Regulations 2002, as amended. This circular aims to provide a short summary of the Regulations, the reporting requirements and the potential application to the renewable energy sector with particular reference to large wind energy generators.

2. Introduction

The Electricity, Safety, Quality and Continuity Regulations 2002, as amended (ESQC) replace the much amended Electricity Supply Regulations 1988. The regulations place requirements relating to the construction and operation of systems which generate and supply electricity. The regulations were put into place by the former Department of Trade and Industry (DTI) but responsibility for them now rests with The Department of Energy and Climate Change (DECC).

Enforcement of the safety aspects of the regulations were passed to the HSE following the Hampton Review while DECC enforce the quality and continuity aspects.

This guidance note is particularly concerned with the range of events which require duty holders to report to the Regulator.

This document is not intended to provide guidance on the ESQC regulations, readers should refer to the regulations for definitive wording.

3. Application of regulations

The regulations apply to generators, suppliers, distributors and meter operators both licensed and unlicensed, who are the duty holders for regulation 31. The Electricity, Safety, Quality and Continuity (Amendment) Regulations 2006 extend the application of the 2002 regulations to the Renewable Energy Zone.

The regulations apply in all parts of Great Britain.

4. Reporting requirements

4.1 Requirement to report

The duty holder is required to report a range of events that may occur wholly or partly as a result of the generating, transforming, control or carrying of energy.

The method of reporting is that all generators with significant portfolios are expected to be (free) subscribers to an internet-based reporting system; those with smaller portfolios are expected to report the required information by telephone (see 4.3 and 4.4, below).

4.2 Fatalities and injuries not involving duty holders or their contractors

Regulation 31(2)(a)(i) and 31(2)(a)(ii) require notification of fatalities or injuries (including electric shock) to members of the public or others not involved in the activities of the duty holder. An example of this would be injuries resulting from contact with overhead lines by a person carrying masts or aerials.

The duty holder is required to report fatalities or serious injuries by telephone or 'other immediate means of communication' as soon as they become aware of the incident.

Similar events involving the duty holder or their contractors may be reportable under the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations 1995 (RIDDOR).

4.3 Fires and explosions/implosions

Any fire, explosion or implosion on plant or equipment which forms part of the system used to generate, transform, control or carry energy must be notified in writing 'by the quickest practical means' e.g. a fire within a substation (Reg. 31(2)(a)(iii) & (iv)).

It should be noted that some events may also need to be reported under RIDDOR.

4.4 Domestic fatalities

Any fatality occurring in domestic premises that is due or partly due to electricity is reportable (reg. 31(2)(b)). This reporting requirement applies only to distributors.

4.5 Overhead lines below statutory height

Regulation 17(2) and Schedule 2 set out minimum heights for various overhead lines e.g. dependant upon voltage, whether or not the line passes over a road. Instances where an overhead line is found to be below the statutory heights are reportable e.g. conductor brought down by a storm (reg. 31(2)(c)).

4.6 Cable damage

Damage to underground cables must be reported if it results from an incident which resulted in a fatality or injury to someone not employed by the company or explosion / implosion e.g. events described in paragraphs 3.2 and 3.3 e.g. cable damage by a contractor [reg. 31(2)(d)].

4.7 Other events

Regulation 31(2)(e) effectively imposes a requirement to report near misses. Thus any event or incident which is not reportable by virtue of the regulations, e.g. an event listed above but excluding domestic fatalities, which was likely to cause death or injury must be reported. An example of event which would be reported under this regulation is the collapse of a fence around a substation containing exposed high voltage conductors and near a housing estate (See DTI guidance). A mechanical failure of a turbine failure may also be reportable where applicable under Regulation 3(1)(b).

5. Information required in reports

5.1 Events involving a fatality or injury, explosion or implosion (regulation 31(2)(a))

The following information must be included in reports required under regulation 31(2)(a), e.g. fatalities or injuries to those not employed by the operator and explosions and implosions.

1. Name, address, telephone number of person submitting the report and details of person who will deal with enquiries
2. Date of notice
3. Unique sequential reference number
4. Details of the site e.g. street, arable field, campsite etc.
5. Date and time of the event
6. Persons involved in the event
 - a. If at work what work were they doing?
 - b. If not at work a description of their status e.g. householder, visitor, child
 - c. Age
 - d. Sex
 - e. Nature or injury (if any)

7. Network details

- a. Voltage
- b. Where relevant, whether earthing of the LV system is by Protective Multiple Earthing (PME)
- c. Operation of circuit protection
- d. In respect of overhead lines

i. height of the line at point of contact

ii. whether or not the line remained alive on the ground or at a reduced height

iii. was the overhead line insulated

- e. Events not involving overhead lines

i. whether the equipment was situated indoors

ii. where the incident involved a substation, a brief description of the physical security arrangements e.g. brick building, steel doors, nature of fencing

iii. whether any security fence is also the perimeter fence

8. Details of the event including, where known, the cause

9. Details of actions or proposed actions taken to prevent recurrence of the event.

5.2 Cable damage and near misses (Regulation 31(2)(c) and 31(2)(e))

1. Name, address, telephone number of person submitting the report and details of person who will deal with enquiries
2. Date of notice
3. Unique sequential reference number which restarts on 1 April each year
4. Details of the site e.g. street, arable field, campsite
5. Date and time of the event
6. Persons involved in the event
 - a. If at work what work were they doing?
 - b. If not at work a description of their status e.g. householder, visitor, child
7. Network details
 - a. Voltage
 - b. Equipment at the site of the event e.g. overhead lines, underground cables, distributing mains, services or some other sort of equipment
 - c. Height of the line at point of contact
 - d. Whether or not the line remained alive on the ground or at a reduced height
 - e. Was the overhead line insulated
 - f. Description of circuit protection
8. Details of the event including, where known, the cause
9. Details of actions or proposed actions taken to prevent recurrence of the event.

5.3 Prescribed information

Events within the renewable energy industry may be reported using the Electricity Incidents Database. Companies with significant renewable generation portfolios (e.g. portfolios above 50MW onshore or 100MW offshore¹) will need to be pre-registered with the database (via DECC Oil and Gas Portal). This will include the need for one or more nominated reporting contacts and some familiarity with the Internet-based reporting facility.

Companies not authorised to use the database must report directly to the HSE who will separately log the incident and ensure that the information provided conforms with the format set out in the regulations.

For general ESQCR enquiries, the HSE has set up a general email account – esqcr.london@hse.gsi.gov.uk. The HSE contact for reports and administrative matters is Michael Tomlin who may be contacted on 020 7556 2115 or by email at Michael.Tomlin@hse.gsi.gov.uk. Out of hours a report regarding any safety-related matter should be made to the HSE Duty Officer who may be contacted on 0151 922 9235. The portfolio holder with responsibilities for ESQCR nationally is John Steed, who can be contacted on: 020 7556 2224, john.steed@hse.gsi.gov.uk.

5.4 Electrical Incidents Database (EID)

The EID is an internet based reporting system which was introduced in 2005 to replace the previous system. The HSE will train companies to make use of the system. Companies who have not received the training will be required to phone information as detailed in paragraph 4.3.

6. Timescales for reports

6.1 Timescales for various events			
Record Type	Relevant ESQCR Regs	Timescale for EID data entry	Immediate tel/ fax required?
Fatalities	31(2)(a)(i)	1 day	Yes
Injuries – Serious	31(2)(a)(ii)	1 day	Yes
Injuries – not serious	31(2)(a)(ii)	10 days	No
Fires & Explosion	31(2)(a)(iii)	10 days	No
	31(2)(a)(iv)		
Near Misses (incl low overhead lines)	31(2)(c)	10 days	No
	31(2)(e)		
Domestic Fatalities	31(2)(b)	1 day	Yes
Supply Interruption	32(1)	1 day	Yes

1. These are indicative figures only and are not statutory

6.2 Immediate reporting

The incident must be reported by ‘telephone or other immediate means of communication’ immediately after the duty holder becomes aware of the event. The initial report should contain as much information as possible the remaining information should be forwarded as soon as it becomes available.

6.3 Timescale for EID data entry

‘1 day’ means either:

- Same working day for an event, which has occurred during a normal working day
- Or
- Next working day for an event, which has occurred outside of normal working hours or towards the end of a normal working day.

However, while the same working day is preferred, the end of next working day is acceptable provided the “immediate” notification requirement has been complied with. (Engineering Inspectorate – EID update).

6.4 Cable damage

Only those cable damages that result in injury or death are to be reported under the EID (Engineering Inspectorate – EID update).

7 References sources

The following references are only intended as an indicative summary.

Regulations:

- Electricity Safety, Quality and Continuity Regulations 2002
- Electricity Safety, Quality and Continuity (Amendment) Regulations 2006
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
- Guidance on the ESQC Regulations 2002 DTI 2002
- Guidance on the ESQC (Amendment) Regulations 2006 DTI 2006
- Engineering Inspectorate Electricity Incidents Database – Update - August 2006

Status of this document

Health & Safety circulars are intended as a basic update or review of particular technical, legal or policy issues relevant to the core membership base of RenewableUK. Circulars provide general Health & Safety information on the topics concerned but do not aim to provide guidance about how the issues can be addressed. Health & Safety circulars will not normally be subject to regular review or updating, and so the accuracy of a circular can only be assumed to be relevant and up-to-date at the time of publication. Attention is also drawn to the disclaimer below.

Disclaimer

The contents of this circular are intended for information and general guidance only, do not constitute advice, are not exhaustive and do not indicate any specific course of action. Detailed professional advice should be obtained before taking or refraining from action in relation to any of the contents of this guide or the relevance or applicability of the information herein.

Links:

HSE - www.hse.gov.uk/electricity/faq-esqcr.htm

Legislation - www.legislation.gov.uk/all?title=electricity%20safety%20quality



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