

Leaflet 13: Environmental Occurrence Reporting and Recording

This chapter is split into two parts:

Part 1: Directive. This part provides the direction that **must** be followed in accordance with statute or policy mandated by Defence or on Defence by central government.

Part 2: Guidance. This part provides the guidance and best practice that **should** be followed and will help you to comply with this policy.

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Amendment Record

This chapter has been reviewed by the Directorate for Climate Change and Environment (CCE) in consultation with relevant subject matter experts (SMEs) and key environmental protection (EP) stakeholders.

Any amendment suggestions should be sent to SPOCCE-EP@mod.gov.uk.

Version No	Date Published	Text Affected	Authority
1.0	Feb 25	Updated policy for environmental incident reporting following split from Health, Safety, and Environmental Protection (HSEP) and updates to MySafety reporting.	Dir CCE

Terms and Definitions

Key terms used in this document can be found in [Annex A - Glossary of Terms](#).

Definitions for other environmental terms are contained in the [JSP 418 Master Glossary](#).

Must and should

Where this chapter says **must**, the action is a compulsory requirement.

Where this chapter says **should**, the action is not a compulsory requirement but is considered best practice to comply with the policy.

Scope

This policy applies to all those employed by Defence (military or civilian) as well as those working on behalf of Defence (for example, contractors).

It applies to all Defence activities carried out in any location (UK or overseas), and all environmental occurrences relating to Defence equipment, systems, platforms, infrastructure and estate activities.

Part 1: Directive

This part provides the direction that **must** be followed to help ensure compliance with this policy.

Introduction

1. The aim of this leaflet is to set out and define the procedural requirements and guidance for the reporting of Defence environmental occurrences.
2. This leaflet also aims to assist Defence Organisations in promoting a culture of learning and continual improvement. Defence's people, and those external to the organisation, must feel safe and empowered to report environmental incidents and near misses.
3. Further guidance and best practice that should be followed in relation to the reporting, recording, and investigation of environmental occurrences is set out in [JSP 816 Element 10 - Incident Management and Continual Improvement](#).
4. Environmental occurrences and safety occurrences are often linked; they can have common causes and consequences and can impact each other. It is therefore important that Defence complies with the policy contained within this chapter for environmental occurrences, and the policy within [JSP 375](#) for safety occurrences.

Note: When viewing additional and/or supporting legislation and documentation, ensure you are viewing the most recent version.

Terminology

5. Key terms used in this document can be found in [Annex A - Glossary of Terms](#) or in the [JSP 418 Master Glossary](#).
6. The JSP 418 Master Glossary outlines the term 'occurrence' which encompasses 'unsafe condition / unsafe act / near miss or accident / incident'. Thus, in this chapter, the following definitions apply:
 - a. an **environmental occurrence** is a specific event that causes harm, or potential harm, to an (or multiple) environmental receptor e.g., air, water, land, wildlife, or habitat. This includes near misses, unsafe acts, unsafe conditions, and incidents.
 - b. an **environmental incident** is a specific event that has caused, or is currently causing, harm to an (or multiple) environmental receptors (e.g., air, water, land, wildlife, or habitat), whether this be accidental or intentional.
 - c. a **near miss** is a specific event that had the potential to cause harm to the environment, but no actual harm occurred.

Note: Some domains may follow terminology particular to their civilian industry. Regulators may follow different terminology.

7. The following 'classification' system is used by CCE when it comes to categorising environmental incidents. This is aligned with the Risk Assessment Impact Criteria outlined in [JSP 892](#).

Incident classification	Environmental impact
Critical	<ul style="list-style-type: none"> • Permanent loss / damage beyond remediation to an important and publicly high-profile natural resource / geographic area / species. • Multiple incidents causing a major environmental impact (EA Common Incident Classification Scheme - Cat 1)¹.
Severe	<ul style="list-style-type: none"> • Severe damage over a wide area and/or on a prolonged basis to a natural resource, including controlled waters, or geography requiring multi-year remediation. • Single incident causing a major environmental effect (EA Common Incident Classification Scheme - Cat 1). • Multiple incidents causing significant environmental effect (EA Common Incident Classification Scheme - Cat 2).
Major	<ul style="list-style-type: none"> • Moderate damage to an extended area and/or area with moderate environmental sensitivity (scarce / valuable environment) that requires months of remediation. • Single incident causing a significant environmental impact (EA Common Incident Classification Scheme - Cat 2).
Moderate	<ul style="list-style-type: none"> • Moderate damage to an area and that can be remedied with MOD resources. • Multiple incidents causing minor environmental effect (EA Common Incident Classification Scheme - Cat 3).
Minor	<ul style="list-style-type: none"> • Limited short-term damage to an area of low environmental significance / sensitivity. • Incidents causing minor environmental impacts (EA Common Incident Classification Scheme - Cat 3).

Note: different organisations and regulatory bodies may use alternative categorisation systems and accompanying terminology.

Background

8. This policy and guidance provide a framework for Defence to deliver on its environmental objectives and demonstrate prioritisation of environmental matters².

9. It also contributes to demonstrating compliance with environmental protection compliance obligations and relevant Defence regulations imposed by the Defence Safety Authority (DSA).

10. This leaflet helps to support the delivery of a coherent and consolidated view on environmental occurrence reporting across Defence, drive the avoidance of adverse environmental impacts, and promote protection of the environment.

11. The Environment Act establishes a framework for environmental governance and protection within the United Kingdom. Five environmental principles³, as set out in the Act, are recognised as successful benchmarks for environmental protection and enhancement. Defence **should** apply these principles in the prevention and mitigation of environmental effects, managing potential environmental damage or, where it cannot be avoided or is

¹ [EA Common Incident Classification Scheme](#).

² This requirement is outlined in the [Secretary of State for Defence Policy Statement on Health, Safety and Environmental Protection](#).

³ Further details on the environmental principles can be found in the [Environment Principles Policy Statement](#).

caused by accident, restoring the costs/ remediation of environmental damage. Where there is uncertainty, a risk-based approach **should** be taken to prevent environmental damage occurring in the first place.

12. Within the United Kingdom, environmental protection is a devolved matter, which means England, Scotland, Wales and Northern Ireland can legislate individually. In England, Part 2 of the Environmental Damage (Prevention and Remediation) (England) Regulations SI 2015/810 outlines the requirement to take all practicable steps to prevent, limit or remediate environmental damage specifically to protected species, natural habitats, sites of special scientific interest (SSSIs), water and land. The equivalent approach **should** be taken in all regions.

13. Devolved nations **must** refer to the requirements of their relevant statutory regulator for example the Environment Agency (EA), Scottish Environment Protection Agency (SEPA), Northern Ireland Environment Agency (NIEA). Additionally, requirements outlined by the Defence Accident Investigation Branch (DAIB), Marine Accident Investigation Branch (MAIB), and other dedicated civil investigation branches **must** apply as appropriate.

14. Should an occurrence arise; it **must** be reported immediately at site level in line with the Defence Organisation's Environmental Management System (EMS) and local site procedures. The appropriate enforcing authorities should also be notified and provided with all relevant details, in line with their specific thresholds. Further details surrounding this, and corrective action that must be taken, are detailed in [JSP 816 Element 10 - Incident Management and Continual Improvement](#).

15. Reporting of an environmental occurrence may be subject to domain specific reporting requirements. Further information can be found in [Annex B - Domain specific reporting requirements](#) which signposts relevant documentation.

16. The Major Accident Control Regulations (MACR) require a comprehensive Major Accident Environmental Risk Assessment (ERA) to be undertaken on establishments that fall under MACR. MACR Sites with an ERA should incorporate the assessment into the site EMS to aid in the management of EP on site⁴.

17. The CCE Directorate are responsible for setting EP policy, strategy, and the governance framework in Defence. Their role is to provide a central oversight of EP occurrences, identify trends, lessons to be learnt, and utilise Head Office governance to stimulate change. To do so, and protect the environment from harm, CCE **must** have access to up-to-date information on environmental occurrences in Defence.

18. The most senior leader **must** ensure that the requirements of their organisation (or those placed upon the organisation) for reporting and recording of environmental incidents and near misses are clearly identified within their organisation's procedures (e.g., EMS), and that these are communicated. Processes and systems **must** be in place to minimise adverse environmental effects on the environment, to report, collate and record environmental incidents from their activities⁵.

Threshold for reporting

19. All **environmental incidents** and **near misses** relating to Defence personnel, visitors, premises, estate, or equipment, of which Defence exercises an element of control or for

⁴ This requirement is outlined in [JSP 418 Part 1](#).

⁵ This requirement is outlined in [JSP 418 Part 1](#).

which Defence may be otherwise responsible **must** be formally reported and recorded on the Defence Organisation's reporting system (e.g. MySafety). It is best practice to report all other environmental occurrences as this promotes, and demonstrates, a culture of open reporting and reduces the likelihood of future occurrences and risk to the environment.

20. When overseas, significant adverse environmental impacts or near-misses **must** be immediately reported to the Head of Establishment (HoE), through the appropriate chain of command, and the appropriate national authorities. Defence will apply UK standards where reasonably practicable and, in addition, respond to host nations' relevant environmental protection expectations. Central reporting via MySafety, or an equivalent system, **must** be completed along with any relevant local procedures.

21. Notifications and reports **must** be made in accordance with the Defence Organisation's notification, reporting, and recording procedures.

22. Following an environmental incident, appropriate remedial action **must** be carried out in accordance with emergency plans and procedures contained within the organisation's EMS. This could be dictated at a local level, or by be enforced relevant statutory regulator or enforcing agency. An enforcing agency may also take enforcement action and there may be compensation due as a result.

23. When making the decision to investigate, consideration **must** be given to lessons learnt and the prevention of further occurrences. Any subsequent investigation **must** be proportional to the severity of the incident. Severity **must** be determined by an assessment of the risks involved, not just the specific outcome⁶.

24. Further to the individual Defence Organisation's internal procedures, there are statutory requirements for reporting incidents, including when to report to CCE and the Defence Accident Investigation Branch. These are outlined below.

a. The CCE Directorate **must** be informed (via the CCE Group Mailbox SPOCCE-EP@mod.gov.uk) of all environmental incidents as soon as possible; at the very latest, the notification must be delivered within 5 working days of receipt by the relevant Defence Organisation. When reporting to the CCE Directorate, information **must** include at the very least, the Defined Dataset ([Annex C](#)). Defence Organisations using MySafety are not required to submit the Defined Dataset to CCE Directorate.

b. DAIB **must** be notified in accordance with their guidance and thresholds. As a minimum, as per [2023DIN06-024](#), the DAIB **should** be notified by phone (**01980 348622**) of the following as soon as possible to enable triage and determination of further investigation:

(1) environmental incidents rated as Category 1 or 2 on the Environment Agency's scale or local equivalent. This includes pollution to air, land, and water, damage to plant or animal life, and leaks or emissions over time; and

(2) near misses. Any incident during which environmental damage has been narrowly avoided.

c. Defence Organisation's **must** comply with the requirements set out by any relevant statutory regulators/authorities such as the Environment Agency (EA) or

⁶ Risk Assessment Impact Criteria can be found in [JSP 892 - Risk Management](#).

Scottish Environmental Protection Agency (SEPA)⁷ to enable immediate action to be taken.

Policy statements

25. Defence has established the following policy statements to provide direction on the management of environmental incidents which **must** be followed.

a. **Policy Statement 1.** A Defence Organisation's most senior leader **must** ensure that suitable and sufficient systems and resources are in place for the reporting, recording, and investigation (including any subsequent formal inquiry and the required cooperation with key stakeholders e.g., statutory environmental regulators) of environmental occurrences.

b. **Policy Statement 2.** A Defence Organisation's most senior leader **must** ensure that the requirements of their organisation (or those placed upon the organisation) for reporting and recording of environmental incidents and near misses are clearly identified within their organisation's procedures (e.g., EMS), and that these are communicated.

c. **Policy Statement 3.** A Defence Organisation's reporting and recording procedures **must** capture the occurrence information in a format that allows for efficient data analysis and exploitation to enable the implementation of corrective action and learning from incidents and near misses to manage, inform, and drive continual improvement.

d. **Policy Statement 4.** A Defence Organisation's procedures **must** ensure that the Defence Accident and Investigation Branch (DAIB) receives notification of any environmental occurrence likely to attract significant public or media interest and that such events are reported to the Deputy Chief of Defence Staff Duty Officer (DCDSO) and the Director CCE.

e. **Policy Statement 5.** The responsible person **must** inform Director CCE of any formal inquiries conducted, the outcomes and lessons identified by these, and any enforcement action taken by a statutory or Defence regulator as soon as possible.

Policy Statement 1

A Defence Organisation's most senior leader **must** ensure that suitable and sufficient systems and resources are in place for the reporting, recording, and investigation (including any subsequent formal inquiry and the required cooperation with key stakeholders, e.g. statutory environmental regulators) of environmental occurrences.

26. A Defence Organisation's most senior leader **must** set down, and implement, environmental management arrangements through Environmental Management Systems (EMSs) for activities in their areas of responsibility.

27. The most senior leader may delegate environmental responsibility to an alternative person such as a commander or manager (here on referred to as 'responsible persons').

⁷ Different regulators and devolved governments may use different classification systems and thresholds for incident reporting. All relevant requirements **must** be met. Any additional reporting requirements due to involvement of industry partners **must** be met, as well as Defence requirements.

The Defence Organisation **must** have mechanism in place to delegate authority for the control of activities impacting the environment⁸.

28. The most senior leader of a Defence Organisation **must** ensure responsible persons have adequate resources at their disposal to implement and maintain processes for, as a minimum, the reporting, recording, and investigation of environmental incidents and near misses. This includes reporting to the statutory authorities where appropriate and/or required. This may include delegating responsibility for implementing and maintaining a suitable reporting system (e.g. MySafety).

29. All reports and data, when provided to an appropriate statutory authority or an investigating body, **must** be in accordance with that Defence Organisation's arrangements and requirements, as well as any requirements of Defence regulators.

30. Defence Organisations **must** cooperate with key stakeholders, such as statutory environmental regulators, when formal inquiries are conducted. This may include competent individuals supporting the investigation when requested.

Policy Statement 2

A Defence Organisation's most senior leader **must** ensure that the requirements of their organisation (or those placed upon the organisation) for reporting and recording of environmental incidents and near misses are clearly identified within their organisation's procedures (e.g. EMS), and that these are communicated.

31. The Defence Organisation's most senior leader **must** ensure that their Defence Organisation's reporting and recording procedures meet the requirements of their organisation, or those placed upon the organisation.

32. The Defence Organisation's most senior leader **must** ensure that their Defence Organisation's procedures for reporting and recording of environmental incidents and near misses are clearly communicated, and that occurrences are reported in accordance with this.

33. The Defence Organisation's reporting and recording procedures **must** include:

a. **primary (immediate) reporting.** This should include the reporting of all environmental incidents and near misses, including those which may have been the result of environmental protection failures, to the responsible person, the Defence Organisation's Safety Centre/CESO (or equivalent), the Defence Organisation's Incident Notification Cell (or equivalent) and DCDSO when appropriate. The DAIB should also be notified when appropriate. This **must** also include primary reporting of environmental incidents to the CCE Directorate, which can be met through MySafety.

b. **secondary (domain specific) reporting** (when required). The Defence Safety Authority (DSA) Regulations (see gov.uk website) define each domain reporting requirements. The Defence Environmental Protection Regulator (DEPR) are responsible for regulation, enforcement, and coordination of environmental protection information across Defence; their reporting requirements can be found here. Details of documentation outlining reporting requirements relating to specialist domain incidents can be found in [Annex B](#).

⁸ Further direction and guidance surrounding delegation can be found in the [Defence EMS Framework](#).

34. Where reporting is required, and proportionate investigations and analytics are carried out, the conclusions of these **must** be made available to:

- a. the appropriate responsible person within the Defence Organisation;
- b. the CCE Directorate (to enable implementation of lessons learnt and/or identified); and
- c. Defence Statistics (to enable analytics and data validation to be conducted).

35. Defence Organisations **must** ensure that their procedures include details of how investigations of incidents (and occurrences when chosen to investigate) will be carried out.

36. Outbreaks of fire resulting in environmental incidents **must** be reported; this could include, but is not limited to, incidents resulting in significant air pollution, fire resulting in damage to protected habitats, or where use of fire-foam is uncontrolled and thus may have entered water systems. This is not a substitute for standard reporting requirements for outbreaks of fire which are detailed in [JSP 426 \(Defence Fire Safety & Fire Risk Management Policy, Guidance and Information\) Leaflet 10](#).

Policy Statement 3

A Defence Organisation's reporting and recording procedures **must** capture the occurrence information in a format that allows for efficient data analysis and exploitation to enable the implementation of corrective action and learning from incidents and near misses to manage, inform, and drive continual improvement.

37. A Defence Organisation's procedures **must** capture information regarding environmental incidents and near misses in a format that allows for efficient data analysis and exploitation to enable the implementation of corrective action and learning from incidents and near misses to manage, inform, and drive continual improvement. This requirement can be met using MySafety.

38. In cases where MySafety is not utilised, the initial reporting **must** include completion and submission of the Defined Dataset ([Annex C](#)) to CCE Directorate.

39. Defence Statistics **must** have access to all occurrence data / information to enable them to undertake analytics and data validation on behalf of the CCE Directorate and MOD. Access and information pull should be from:

- a. direct access to MySafety; or
- b. direct access to the Defence Organisation's internal system; or
- c. requests to the Defence Organisation's in cases when this requirement is not met by automated systems.

Policy Statement 4

A Defence Organisation's procedures **must** ensure that the Defence Accident and Investigation Branch (DAIB) receives notification of any environmental occurrence likely to attract significant public or media interest and that such events are reported to the Deputy Chief of Defence Staff Duty Officer (DCDSO) and the Director CCE.

40. The DAIB **must** be notified of environmental occurrences likely to attract external authority or public attention. Additionally, such events **must** be reported to the Defence Organisation's Safety Centre/CESO (or equivalent), the DCDSDO, the Director CCE (via the Group Mailbox SPOCCE-EP@mod.gov.uk), and relevant external statutory bodies where appropriate. This **must** be actioned as soon as possible to enable the DAIB and DCDSDO to triage and determine whether further investigations are required.

41. In relation to environmental occurrences, the DSA **must** be notified of all potentially safety-related accidents and serious incidents which result in significant damage to the environment, nationally or internationally⁹. Any environmental incident rated as Category 1 or 2 on the [Environmental Agency's scale](#) (or local equivalent) level **must** also be reported; this includes pollution to air, land, and water, damage to plant or animal life, and leaks or emissions over time.

42. Defence Organisations may define additional direction on circumstances that require immediate reporting; the **must** be detailed in the organisation's procedures.

Policy Statement 5

The responsible person **must** inform Director CCE of any formal inquiries conducted, the outcomes and lessons identified by these, and any enforcement action taken by a statutory or Defence regulator as soon as possible.

43. If the potential consequences of an environmental occurrence are considered serious, or there is a likelihood of recurrence, then an investigation **must** be carried out.

44. Where lessons are identified and learnt from investigations, the recommendation owner **must** report these findings to the Defence Organisation's Safety Centre/CESO (or equivalent) and, where appropriate, to the relevant Defence safety organisation(s) and CCE Directorate to enable widespread benefit from the lessons learnt.

45. Where lessons highlight a requirement for corrective actions, the responsible person **must** make sure that appropriate corrective action is taken, applicable environmental protection/management protocols updated, and the relevant information shared across the organisation.

46. The responsible person **must** ensure that effectiveness of corrective action taken is monitored and ensure that stakeholders are made aware of said changes.

47. If further occurrences are to be avoided, investigation **must** identify the root and direct causes, and any additional causal factors. The causal factors may include:

- a. **contributing factors** - factors that contributed to, and increased, the probability of the environmental occurrence, but did not directly cause it; and
- b. **aggravating factors** - factors that made the outcome (or predicted outcome) worse and/or more severe.

⁹ The DSA also require notification of all potentially safety related accidents and serious incidents which result in the death or serious injury of a service person, or a civilian, where it is related to MOD employment, activity or estate, any significant loss of operational capability.

48. Investigations may range from short interviews with the individuals concerned to formal Defence inquiries which may take the form of a Service Inquiry¹⁰.

49. In the event of an investigation by an independent authority (e.g. the EA), personnel that are required for interview or statements, and those under caution from the investigating authority, **must** be excluded from internal investigation/inquiry until approved by the independent investigating authority.

¹⁰ Service Inquiries **should** be conducted in accordance with JSP 832.

Part 2: Guidance

This part provides guidance and best practice regarding environmental occurrence reporting and recording that **should** be followed to help ensure compliance with this policy.

Reasons for reporting and notification

1. Reporting environmental occurrences, including incidents and near misses, provides a record that can inform the planning of actions to be taken to prevent recurrence. All environmental occurrences **should** be reported. This is best practice as it promotes and demonstrates a culture of open reporting and reduces the likelihood of future occurrences.
2. If investigations occur, these **should** be proportional to the severity (or potential severity) or the occurrence unless specific legislation or Defence policy dictates a more stringent approach. Investigations can identify lessons to be learnt or may facilitate the opportunity to implement learning.
3. Learning from lessons allow Defence to anticipate and prevent other (potentially more serious) outcomes, and thereby reduce the risk to the environment. Lessons learnt should also prompt corrective action. Lessons learnt and corrective action may be unique to the specific occurrence; for example, an unsafe act could be intentional or unintentional and corrective action will likely differ in the two situations.
4. Where lessons are learnt, the responsible person **should** report findings to the relevant Defence Organisation's Safety Centre / Chief Environment and Safety Officer (CESO) (or equivalent) and make sure that the appropriate corrective action is taken, and that the effectiveness of new / revised control measures are monitored. Learnings from lessons identified **should** also be shared with wider Defence Organisations to facilitate improvements across Defence.
5. Reporting records can be used to identify where good practice has resulted in a better outcome than would otherwise have been expected; by sharing such information there is an opportunity to improve wider organisational performance.
6. The Defence Safety and Environmental Committee (DSEC) require information regarding environmental protection occurrences across Defence to support the analysis and identification of trends. The necessary 'minimum data set' to support this is specified by Director CCE.
7. Environmental incidents can range from short to long-term, localised, or widespread in impact. It is therefore important to make sure all the relevant details of an incident are recorded, including any work instructions or environmental assessments, being used at the time. This information will provide evidence and records should any action or claims or be made against Defence.

What is a reportable environmental occurrence?

8. As outlined in Part 1, all **environmental incidents** and **near misses** relating to Defence personnel, visitors, premises, estate, or equipment, of which Defence exercises an element of control or for which Defence may be otherwise responsible **must** be formally reported and recorded on the Defence Organisation's reporting system (e.g. MySafety). All other environmental occurrences, aside from incidents and near misses, **should** be reported.

Responsibilities

Most senior leader of the Defence Organisation

Note: As outlined in Part 1, the most senior leader may delegate environmental responsibility to an alternative person such as a commander or manager who then becomes the 'responsible person'.

9. The most senior leader **should** be able to evidence that:
 - a. suitable environmental procedures are in place and that these are embedded at a local level for their area of responsibility; and
 - b. procedures comply with Defence policy requirements for reporting and recording of environmental occurrences.
10. In the case of an environmental incident, unless already under control¹¹, the responsible person **should** make sure that the scene of the occurrence is made safe and that all reasonable steps are taken to secure / quarantine the scene of the occurrence and any equipment etc, to preserve evidence. The scene of an occurrence should not be interfered with unless safety (of either the environment or individuals) will be compromised.
11. The responsible person **should** be able to demonstrate that:
 - a. occurrences are brought to the attention of the local site Environmental Protection Advisor or responsible person as indicated by local instructions. Where this is not possible, this responsibility passes up the chain of command/reporting chain.
 - b. procedures comply with Defence policy requirements for reporting and recording of environmental occurrences.
 - c. occurrences involving contractors, sub-contractors, and those (non-Defence) who permanently reside at, or are visiting, a Defence unit/establishment, are reported by their Defence host to the responsible person or Defence host's Incident Notification Cell (or equivalent). Contractors may additionally report any occurrences to their employers.
 - d. where responsible for the activity / facility they took reasonable steps to notify representatives above of any occurrence reported and ensure any legal right to inspect a workplace occurs.
12. Notwithstanding any Defence Organisation specific reporting requirements, responsible persons **should** make themselves aware of Defence regulations requiring:
 - a. specific reporting requirements for specialist incidents (e.g. OME, nuclear, maritime, aircraft, land, or fire) that may need to be completed in addition to environmental reporting. Further details can be found in [Annex B](#); and
 - b. that they have informed the appropriate DSA regulator of when a statutory notice has been issued.

¹¹ For example, the situation may be under the control of the EA, DFSR or Local Authority Fire Service.

All personnel

13. All personnel **should** be able to demonstrate that they are aware:
- a. of the need to personally report all environmental incidents and near misses as directed by local procedures;
 - b. that it is best practice to report other occurrences, above and beyond incidents and near misses;
 - c. of the need to co-operate with any investigation or formal inquiry; and
 - d. of their role in reporting any work situation which represents a risk of serious or imminent danger to the environment without delay, including times when this is a result of shortcomings in standard procedures, through their chain of command or reporting chain.

Investigation

Note: *The following guidance is for all Defence Organisations to use, as the approach to investigations **should** be consistent across Defence. Any deviation from this approach **should** be documented along with a clear rationale and explanation.*

14. Learning lessons is a critical requirement of an effective learning organisation. For example, a minor environmental occurrence may not require an in-depth investigation; however, a series of similar environmental occurrences may be subject to a more detailed and thorough investigation. The analysis may identify a chain of processes that inevitably lead to recurrence.

15. Reporting and subsequent investigation **should** be proportional to the potential severity of the incident/ occurrence and be determined by an assessment of the risks involved, not just the specific outcome.

16. When deciding whether an environmental occurrence crosses the threshold for investigation the following **should** be considered (this list is non-exhaustive):

- a. the selection of investigation team, for example experience and training.
- b. the extent and level of any significant damage to flora, fauna, and/or protected species.
- c. any impact on, or loss of, operational capability.
- d. the significance of any environmental damage.
- e. the potential impact on Departmental reputation.
- f. any assessment of whether significant lessons might be learnt.

17. In addition to causal factors (contributing, and/or aggravating), other associated factors such as those relevant to the occurrence but not affecting the likelihood or severity of the outcome, **should** also be identified during the investigation.

18. Inquiries **should** identify environmental lessons and relevant recommendations that, when published, will contribute to environmentally sound operation across their organisation(s) and therefore across Defence.

19. The investigation findings **should** be contained in the Defence Organisation's notification/ reporting system (e.g. MySafety).

20. These findings **should** be used to make informed decisions and establish improvements to prevent further occurrences.

21. Conclusions from any investigations and analytics carried out **should** also be made available across Defence Organisations so that opportunities to enhance reporting and understanding are optimised.

Post occurrence actions

22. When an occurrence arises, the Defence Organisation **should**:

- a. react in a timely manner, take action to control and correct it, and deal with the consequences;
- b. evaluate the need for corrective action(s) to eliminate the root cause of the occurrence. This **should** be done by investigating the occurrence to determine the root cause and consider whether similar occurrences have and/or could potentially occur;
- c. review existing assessments of environmental risks;
- d. determine and implement any actions needed and review their effectiveness;
- e. assess environmental risks which relate to new or changed environmental aspects, prior to taking action; and
- f. make changes to the Defence Organisation's environmental management system (EMS) if necessary.

23. Corrective actions **should** be appropriate to the effects/potential effects of the incidents/occurrences. The Defence Organisation **should** retain documented information as evidence of:

- a. the nature of the occurrence and any subsequent corrective actions taken; and
- b. the results of any corrective action, including their effectiveness.

24. The Defence Organisation **should** communicate this information to all relevant personnel and stakeholders.

25. Secondary (domain specific) reporting data **should** be made available across Defence Organisations so that opportunities to enhance reporting and understanding are optimised.

Retention of Records

26. All relevant records **should** be kept in accordance with [JSP 418 Leaflet 11 - Retention of Environmental Protection Records](#).

Related Documents

27. The following documents **should** be consulted in conjunction with this leaflet. This is not an exhaustive list.

- a. [JSP 816 - Defence Environmental Management System.](#)
- b. [JSP 418 - Management of Environmental Protection in Defence.](#)
- c. other MOD publications:
 - (1) Defence Safety Authority Charter.
 - (2) [General Agreement on Environmental Protection between MOD and Environment Agency \(EA\).](#)
 - (3) [JSP 317 - Joint Service Safety Policy for the Storage and Handling of Fuels, Lubricants and Associated Products.](#)
 - (4) [DSA02 - Defence Fire Safety Regulations.](#)
 - (5) [DSA02-DMR: Defence Maritime Regulations.](#)
 - (6) [JSP 471 - Defence Nuclear Emergency Response.](#)
 - (7) DSA02-OME: Defence Ordnance, Munitions, and Explosives Regulations.
 - (8) DSA02-MRP-2000 Series: Flying Regulations.
 - (9) [DSA03 DLSR - Movement and Transport Safety Regulations.](#)
 - (10) [JSP 832 - Guide to Service Inquiries.](#)
- d. legislation and guidance:
 - (1) MGN 564 - Marine casualty and marine incident reporting.
 - (2) [Merchant Shipping \(Accident Reporting and Investigation\) Regulations.](#)
 - (3) Environmental Damage (Prevention and Remediation) England Regulations 2015.
- e. key documents for devolved nations:
 - (1) [Environment Act 2021.](#)
 - (2) [Environmental Liability \(Scotland\) Regulations 2009/266.](#)
 - (3) [Environmental Damage \(Prevention and Remediation\) \(England\) Regulations 2015/810.](#)

(4) [Environmental Liability \(Prevention and Remediation\) Regulations \(Northern Ireland\) 2009/252.](#)

(5) [Environmental Damage \(Prevention and Remediation\) \(Wales\) Regulations 2009/995.](#)

Annex A - Glossary of Terms

Additional environmental terms can be found in the [JSP 418 Master Glossary](#).

Note: The definitions used in this JSP 418 leaflet have been reviewed and agreed through stakeholder consultation and are the only recognised CCE definitions. CCE policy is owned by the Director CCE and the definitions within this chapter cannot be changed or altered without the explicit authority of the Director CCE.

Term	Definition
Environmental conditions	The quality and/or state of environment at a particular time which is based on factors such as water quality and air quality and associated parameters.
Environmental incident	An environmental incident is a specific event that has caused, or is currently causing, harm to an (or multiple) environmental receptors (e.g., air, water, land, wildlife, or habitat), whether this be accidental or intentional.
Environmental occurrence	An environmental occurrence is a specific event that causes harm, or potential harm, to an (or multiple) environmental receptor e.g., air, water, land, wildlife, or habitat. This includes near misses, unsafe acts, and incidents.
Lesson	An experience, example, or observation that imparts beneficial new knowledge or wisdom and/or something that can be analysed to produce recommendations and/or actions.
Military Commands	This refers to the Front Line Commands (Army, RAF, Navy and UK Strategic Command) or single Services.
Unsafe act (environmental)	Any act/activity that deviates from a generally recognised safe/ environmentally aware way of conducting a task and thus possibly increases the likelihood of an environmental protection incident or near miss. <i>Note: unsafe acts can be intentional or unintentional.</i>
Unsafe conditions (environmental)	Any environmental conditions that may cause or contribute to an environmental protection incident or near miss.
Responsible Operator	The 'Operator' is the person who operates or controls an activity which poses a threat of damage or causes actual damage to the environment.

Annex B - Domain specific reporting requirements

The Defence Safety Authority (DSA) Regulations define each domain's reporting requirements; domain specific reporting is referred to as secondary reporting.

- a. **Aviation.** The Military Aviation Authority (MAA) defines aviation domain reporting requirements in [Regulatory Article 1410 - Occurrence Reporting and Management](#).
- b. **Maritime.** The Defence Maritime Regulator defines maritime reporting requirements in [DSA02-DMR: Defence Maritime Regulations](#).
- c. **Nuclear.** The Defence Nuclear Safety Regulator (DNSR) defines the nuclear reporting requirements in DSA02-DNSR and DSA03-DNSR - Defence Nuclear Safety Regulations of the Defence Nuclear Enterprise Guidance. Also refer to:
 - (1) [JSP 471 - Defence Nuclear Emergency Response](#).
 - (2) [JSP 392: Management of Radiation Protection in Defence](#).
- d. **Land.** The Defence Land Safety Regulator (DLSR) defines occurrence reporting requirement in [DSA03 DLSR - Movement and Transport Safety Regulations](#).
- e. **Ordnance, Munitions, and Explosives.** The [Defence Ordnance, Munitions, and Explosives Safety Regulator \(DOSR\)](#) requirements for reporting occurrences are found in DSA 03 OME Part 2 - In-Service and Operational Safety Management of OME¹².
- f. **Fire.** The Defence Fire and Safety Regulation (DFSR) occurrence reporting requirements are found in [JSP 426 Leaflet 10](#).
- g. **Medical.** The Defence Medical Services Regulator (DMSR) occurrence reporting requirements are found in [DSA02.DMSR - Healthcare Regulations](#).

¹² This document is scheduled for review by an SME Working Group and will be republished in due course.

Annex C - Defined Dataset

As outlined in Part 1 (paragraph 22), when Defence Organisation's do not utilise MySafety or an alternative reporting system for environmental occurrence reporting, the [Defined Dataset](#) must be submitted to the CCE Directorate via the Environmental Protection team Group Mailbox (SPOCCE-EP@mod.gov.uk).

If a Defence Organisation has completed an occurrence report on MySafety, there is no requirement for the Defined Dataset to be returned, as MySafety reports will capture sufficient information which will be forwarded to the CCE Directorate.