



Centor Autumn Risk Guide



Clocks going back, evenings drawing in, collars pulled up. It can only mean one thing – autumn is here.

Autumn heralds a change in season, when we are faced with risks which are associated with building maintenance and employee safety.

With this in mind, our autumn risk guide covers some of these risks in more detail. Because the fewer claims you have, the safer you'll be.



Trips, Slips and Falls

The autumnal weather increases these types of accidents, so this guide offers some useful preventative information



Working at Height

A serious risk and, as work takes place to clear debris like falling leaves from elevated positions, one that should not be ignored



Building Maintenance

Good housekeeping dictates that premises should be maintained before the onset of winter; this guide discusses precautionary measures to ensure safety



SLIPS, TRIPS & FALLS

Slips and trips are the most common cause of workplace accidents. They affect just about every sector, workplace and occupation with a significant number involving members of the public.

More About Slips & Trips

Most slips occur in wet or contaminated conditions, frequently as a result of spillages or walk-in contaminant, for example, mud. Commonly, trips are caused by poor housekeeping where materials and equipment are stored on the floor restricting access or leading to other obstructions.

In many circumstances, a combination of factors can cause these incidents. These include:

- ▶ The structure of the floor and stairs (e.g. some change suddenly in their level or steps that are irregular)
- ▶ The nature of floor materials or coverings (e.g. some surfaces and coverings are more slippery than others)
- ▶ Their condition (where they have become damaged or worn)
- ▶ Workplace layout (creating sight restrictions)
- ▶ Maintenance issues (perhaps where floor components are removed or restrict access)
- ▶ Poor lighting
- ▶ Combinations of floor surfaces and cleaning materials (e.g. polish)
- ▶ Increased slipperiness of the surface where poor maintenance of equipment or the building fabric leads to surface contamination (e.g. oil leaks or wet floors from leaking roofs)
- ▶ Inappropriate footwear
- ▶ The effects of weather (e.g. rain, snow and ice)

What should organisations be doing?

In preventing slips and trips, employers and others are required to comply with specific aspects of health and safety law as follows:

For Employers

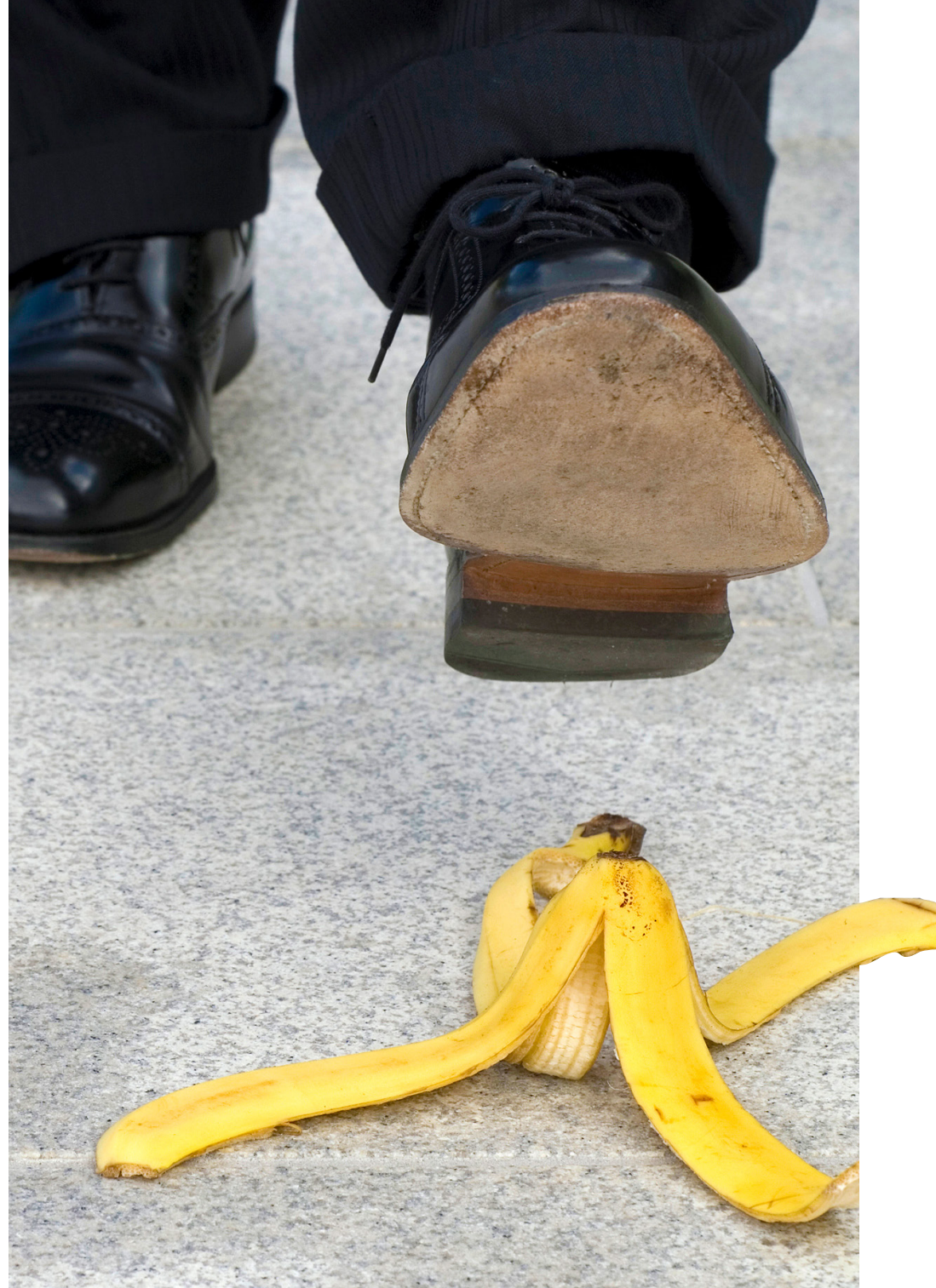
If an organisation has employees, they have to comply with their duties under the Health and Safety at Work etc. Act (Section 2 – General duties to employees and Section 3 – General duties to others who are not employees) and the Management of Health and Safety at Work Regulations (in particular, Regulation 3 – Risk assessment).

They also need to comply with the Workplace (Health, Safety and Welfare) Regulations – specifically, Regulation 12 (Conditions of floors and traffic routes). ‘Workplaces’ are non-domestic premises (or parts of them) made available to any person as a place of work. It includes any place within those premises to which someone who is at work has access. This includes the access to or from them, other than a public road.

As such, it can include the common parts of shared buildings, private roads and footpaths. A modification, conversion or extension is part of a workplace only when it has been completed. Domestic premises are not within the scope of the Regulations, as are places of work in woods, fields and other agricultural land which are not inside buildings.

In addition to this, employers have a duty of care under civil law to ensure that their activities do not cause injury or damage to another. One important aspect of this is occupiers’ liability. This is concerned with the duty of care owed by occupiers of premises to those who may use them. This is now principally governed by the Occupiers Liability Act 1957 and 1984.

Broadly, the duty is to take reasonable care to see that visitors will be reasonably safe in using the premises for the purpose they are invited or permitted to be there by the occupier. There is a greater duty of care owed to children, particularly if there is any form of allurements e.g. derelict buildings. However, there may be less of a duty where a person, in exercising their calling, will appreciate and guard against any special risks.





Those in control of non-domestic premises who are not employers

Even if an organisation does not have any employees, they may still have duties to make sure that people are not exposed to danger from slip and trip hazards. This will be:

- ▶ **Someone who controls premises.** This is where non-domestic premises are made available either as a place of work or where others may use plant or substances provided for their use there. This is under the Health and Safety at Work etc. Act (section 4). This duty is placed on anyone who has, to any extent, control of the premises for trade, business or other undertaking (whether for profit or not). They must make sure that the premises are safe, including any access to or from them, so far as is reasonably practicable.
- ▶ **As a person in control of premises used as workplace.** In these situations, the organisation must comply with the requirements of the Workplace (Health, Safety and Welfare) Regulations (see Regulation 12 – Conditions of floors and traffic routes).

However, here the duty is limited to matters which are within that person's control. For example, an owner who is responsible for the general condition of a staircase provided for commercial tenants' use, should ensure that it complies with these Regulations. However, the owner is not responsible under these Regulations for matters outside their control. For example, where a spillage is caused by another person's employee.

A similar civil duty to that of employers is also owed under the Occupiers Liability Acts. On this basis, best practice considerations for employers and others include:

- ▶ Ensuring that the risk assessments (where required) fully contemplate any slip and trip hazards. It is particularly important to consider all those who may be harmed, including members of the public (e.g. customers, other visitors etc.), and to consider any additional measures that may be required for those with a disability
- ▶ Implementing and maintaining suitable precautions identified as being necessary.

These may include:

- changes to floors, stairs and their surfaces
- improvements in the layout of work equipment to permit clear vision and safe access (i.e. avoiding collision with equipment, materials or products and other items such as protruding handles, machinery guards, doors, speed bumps, waste bins, trailing cables etc.
- highlighting pedestrian walkways
- demarcating areas for the safe storage of equipment and materials away from access routes
- the provision of adequate lighting
- correcting problems resulting from glare, shadows, bright lights and poor colour contrasting
- the introduction of good housekeeping practices and appropriate spill procedures
- the provision of floors and floor coverings to meet relevant standards and needs of the working environment
- ensuring adequate systems for cleaning floor surfaces and coverings
- operating a robust system of inspection of floor surfaces/coverings and for the reporting/recording/rectifying (or providing temporary safeguard for) defects (e.g. leaks or damaged floor surfaces
- the provision of adequate safeguards during maintenance work (including the provision of barriers etc. where necessary)
- the provisions and use of appropriate footwear for employees etc.



- ▶ Providing (and recording details of) any training and information given to employees relating to these precautions and any associated responsibilities (e.g. keeping walkways clear, removing obstructions or reporting defects etc.). Training records in particular should contain such detail relating to the persons who were trained; when they were trained and by whom; an overview of the training that was provided; details relating to any certification provided or other test to verify understanding etc. The training record should contain detail of what has been provided, when this was done and by whom along with trainees signing to state that they have received and understood it
- ▶ Recording the arrangements and responsibilities for managing slip and trip exposures as part of the health and safety policy (or supporting documentation) where one is needed to comply with health and safety law and reviewing this where necessary.

Further topic resources

Further information is available as follows:

The Workplace (Health, Safety and Welfare) Regulations, SI 1992/No. 3004, (Regulation 12 – Conditions of floors and traffic routes), available at www.legislation.gov.uk/ukxi/1992/3004/regulation/12/made

General information is available at www.hse.gov.uk/slips/index.htm

Preventing slips and trips at work, A Brief Guide, INDG 225, HSE, available at www.hse.gov.uk/pubns/indg225.pdf



WORKING AT HEIGHT

The Health and Safety Executive have published their figures for workplace fatalities in Great Britain, and the most common cause of fatal injury is falling from height. This has been the case for several years. It affects most industry sectors but is a particular issue in certain sectors such as the construction industry. It can occur in any premises for example during maintenance, window cleaning, loading/unloading vehicles, adventure activities and roof work.

Accidents can involve falling from ladders, stepladders or other work equipment and open edges (e.g. from mezzanines, scaffolds and mobile access towers). Frequently, falls occur during roof work from open edges, through roof lights or other fragile roofing materials.

Many falls are usually attributable to poor management control rather than being specifically related to the failure of work equipment. In many circumstances, a combination of factors contribute to the accident including inadequate risk assessment, issues with the safe system of working including the provision and use of suitable equipment, and inadequate information, instruction, training and supervision for those involved in the work.

What should organisations be doing?

While the general requirements of the Health and Safety at Work etc. Act and the Management of Health and Safety at Work Regulations may apply, the principal duties relating to the prevention of falls are detailed in the Work at Height Regulations. Other additional requirements might also apply in some circumstances (e.g. where work equipment – such as a cherry picker – is used, the Provision and Use of Work Equipment regulations would also apply amongst others). In some industrial settings, the Workplace (Health, Safety and Welfare) Regulations will also be relevant.

The Work at Height Regulations

These regulations set minimum safety standards to prevent falls. They cover nearly all work premises. 'Work at height' means any place at (or below ground) from which a person could fall a distance liable to cause personal injury and the duties extend to cover access to and from such a place (except by a staircase in a permanent workplace). They do not cover travel to and from a place of work.

The Regulations:

- ▶ Impose duties relating to the organising and planning of such work
- ▶ Require that persons are competent (or supervised by competent persons)
- ▶ Specify steps to be taken to avoid risk from work at height
- ▶ Impose duties relating to the selection/specification of work equipment
- ▶ Require the avoidance of risks from fragile surfaces, falling objects and danger areas
- ▶ Require the inspection of certain work equipment and of places of work at height.



If you are the employer

If an organisation has employees, they must comply with their duties under the Health and Safety at Work etc. Act (Section 2 – General duties to employees and Section 3 – General duties to others who are not employees) and the Management of Health and Safety at Work Regulations (in particular, Regulation 3 – Risk assessment).

They also need to comply with the Work at Height Regulations, along with any other specific requirements of the Provision and Use of Work Equipment Regulations. This is in addition to any civil law duty of care owed.

On this basis, best practice considerations include the following:

- ▶ Ensuring that work is properly planned in advance, including any emergency procedures and the selection of appropriate work equipment, appropriately supervised, and carried out in a safe manner
- ▶ Ensuring that any risk assessments completed identify circumstances where work at height is involved and determine what, if anything, needs to be done to comply with applicable statutory requirements. In particular, risk assessments should clearly demonstrate that where ladders are to be used their use is justified because of the low risk, and the short duration of use, or existing features on site which cannot be altered. In most circumstances, assessments should be recorded, reviewed and updated as necessary

- ▶ In identifying the necessary precautions. First avoiding the need for work at height by, for example, completing it from ground level. Where this is not possible, determining the work equipment and/or other precautions required to prevent falls. If possible, existing places of work should be used first where these are suitable i.e. they are stable, of sufficient strength and rigidity, provide safe access. Where this is not possible, suitable equipment should be used to prevent or minimise the distance and consequences of a fall. Collective protection measures such as edge protection, scaffolds and nets should be given priority over personal protection i.e. harnesses, taking account of the specific working conditions, access/egress travel distances, potential fall distances/ consequences, duration and frequency of use, emergency evacuation and rescue requirements and loadings.
- ▶ Implementing and maintaining the precautions identified as being necessary.

The Work at Height Regulations set specific standards that need to be met for working platforms (see Schedule 3); guard-rails, toe-boards, barriers or similar collective means of protection (see Schedule 2); nets, airbags or other collective safeguards (see Schedule 4); personal fall protection systems, work positioning systems, rope access and positioning techniques, fall arrest systems and work restraint systems (see Schedule 5); and ladders (see Schedule 6).

Other precautions will include:

- ▶ Those required to prevent materials or objects likely to cause injury from falling, ensuring that they are suitably stored and will not be thrown or tipped from height; those to identify work areas and prevent unauthorised access to them where necessary; and those relating to safe access; the use of lifting equipment; the provision of adequate lighting; safety around overhead service and/or equipment and the use of personal protective equipment.
- ▶ Avoiding the need for work on or near fragile surfaces – including roof lights. Where this is not possible identifying and implementing adequate precautions to prevent falls (e.g. by providing suitable platforms, coverings, guard rails, roof ladders, crawling boards and warning signs)
- ▶ Ensuring that no work at height is carried out during adverse weather conditions
- ▶ Ensuring that work (including any organisation, planning and supervision) is only carried out by persons who are competent or, if being trained, are supervised by someone who is. The level and detail of competence required should be identified by a risk assessment.
- ▶ Recording and keeping details of any training and information provided to employees. Training records should contain such detail relating to the persons who were trained; when they were trained and by whom; an overview of the training that was provided; details relating to any certification provided or other test to verify understanding, along with trainees signing to state that they have received and understood it.
- ▶ Ensuring that the workforce is appropriately consulted on the required precautions.
- ▶ Recording the arrangements and responsibilities for managing work at height as part of the health and safety policy (or supporting documentation) where one is needed to comply with health and safety law and reviewing these where necessary. This should include arrangements to ensure that the specified inspections (as detailed in the Work at Height Regulations) are carried out by a competent person; the control of contractors involved in such work and the steps to be taken where it is not possible to follow the required system of working.





If you are NOT the employer

If an organisation has control of any work at height completed by others, they will need to comply with the Work at Height Regulations – but only to the extent of their control.

Similarly, if they control work equipment; a person at work who uses, supervises, or manages the use of work equipment; or the way in which work equipment is used at work must comply with the Provision and Use of Work Equipment Regulations. Again, they only need to comply with the requirements to the extent of their control. 'Work equipment' means any machinery, appliance, apparatus, tool or installation for use at work (whether exclusively or not) and would include access equipment.

In addition to these specific requirements, organisations that do not have employees will still need to meet duties under the Health and Safety at Work etc. Act 1974. This is where they control non-domestic premises made available to others as 'a place of work' or where they may use 'plant or substances provided for their use there' (Section 4). In these circumstances and for work at height, they must make sure that the premises and plant (e.g. any access equipment) provided for use by others are safe.

A similar civil duty to that of employers is also owed.

Further topic resources

Further information is available as follows:

The Work at Height Regulations, SI 2005/No. 735, available at www.legislation.gov.uk/uksi/2005/735/made

General information is available at www.hse.gov.uk/work-at-height/index.htm

Working at Height, A brief guide, INDG 401, HSE, available at www.hse.gov.uk/pubns/indg401.pdf

Safe use of ladders and stepladders, A brief guide, INDG 455, HSE, available at www.hse.gov.uk/pubns/indg455.htm



BUILDING MAINTENANCE



Proactive action now is better than reactive action when it's too late

Buildings that are not maintained regularly will deteriorate in condition resulting in an increased risk of damage, insurance loss, business interruption, injury and prosecution. Remedial work costs are also likely to be substantially more.

Proactive building maintenance will not only ensure buildings remain in acceptable condition but will reduce the potential for damage, loss, injury and prosecution.

Most of the precautions provided in this section are little more than common sense and good business practice and should be used as a checklist for good preventative building maintenance.

Precautions

- ▶ Introduce regular and systematic internal and external inspections of the premises. Frequency of inspections will vary depending on the use, location, age and construction of the buildings. A log of all inspections and remedial works should be kept – see the handy checklist below.
- ▶ If suitably trained and competent persons are not available within your staff, then contract the services of suitable competent contractors to inspect, assess conditions and if necessary carry out remedial works.

Inspections should include:

- Building fabric
 - ☐ Roofs ☐ Yard Areas ☐ External Lighting
 - ☐ Floors ☐ Chimneys ☐ Rainwater Goods
 - ☐ Fascias ☐ Windows ☐ Doors and Steps
 - ☐ Soffits ☐ Perimeter Walls/Fences
 - ☐ Walls ☐ Walkways/Pavements
 - ☐ Fire Escape Routes
 - ☐ Lightning Conductor
 - ☐ Vegetation and Trees
 - ☐ Bulk Fuel Supplies and Associated Pipework
- Ensure all contractors coming onto your premises are controlled and supervised by use of Permit to Work systems, risk assessment and method statements depending on the nature of the work.
- Ensure any employees instructed to carry out such maintenance work are provided with suitable training including an assessment of the risks and introduction of suitable controls measures for the task.
- ▶ Ensure electrical installations and equipment are inspected, tested and maintained.
- ▶ Ensure heating systems are maintained and serviced in line with manufacturers' recommendations.

- ▶ Ensure all gas systems (including appliances, pipework, valves, regulators and meters) are installed, maintained, serviced and inspected by a 'Gas Safe' approved contractor.
- ▶ Ensure all extraction and ventilation systems are inspected and tested by a competent person/contractor at least every 14 months.
- ▶ Ensure all pressure systems are included within a written scheme of examination as required by law.
- ▶ Ensure all lifting equipment is included within a written scheme of examination as required by law.

- ▶ Ensure emergency lighting and fire safety systems are routinely tested, inspected and maintained.
- ▶ Manage Asbestos within the premises.
- ▶ Manage the risk of Legionella within water systems within the premises.

It is preferable that all inspections are recorded. Be sure to keep all your records up to date to assist with any planned preventative maintenance programme.

Further Guidance

Health & Safety Executive www.hse.gov.uk

If you would like to learn more about managing your risk, please speak to your broker, visit us at **www.centor.co.uk** or call **020 7256 7300** for assistance.

This document contains general information and guidance only and may be superseded and/or subject to amendment without further notice. The document may not cover every risk, exposure or hazard that may arise.



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