Health and Safety Policy

middle level commissioners

Middle Level Commissioners
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The Management of Health and Safety at Work Regulations require that health and safety arrangements be reviewed at suitable intervals. To ensure the validity of this policy, it is recommended that this document be reviewed as often as necessary and in any case within 12 months of the date shown below.

Version 4.0 01 April 2026

Record of Amendments

Use this table to record any amendments to this policy. Include brief details of the amendment and the reasons for it, e.g. annual review, introduction of new legislation, a change to the processes or conditions.

Version No.	Date	Section Ref.	Details of Amendment
1.0	27/03/2023	All	New policy drafted
2.0	01/04/2024		New policy reviewed following Senior Officer year in role
3.0	01/04/2025		Annual review
4.0	01/04/2026		Annual review (edit)

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Section 1 - General Policy

Health and Safety Policy Statement

middle level commissioners

01 April 2026

The Middle Level Commissioners are committed to providing and maintaining a safe and healthy working environment for all employees, contractors, and staff engaged in works on our behalf. We recognise our duty to ensure, so far as is reasonably practicable, that our operations are conducted in such a way as to prevent risks to the health and safety of others including landowners, tenants, visitors, and members of the public.

Our overall aim is to prevent work-related injury and ill health, achieve full compliance with relevant health and safety legislation, and secure continual improvement in health and safety performance, in accordance with the principles set out in HSG65 – Managing for Health and Safety.

Health and safety considerations will be integrated into business planning, operational decision-making, and resource allocation, recognising the financial, operational, and environmental responsibilities of the Middle Level Commissioners.

We will achieve this policy through the following arrangements:

1. We will appoint competent Line Managers with clear responsibility for managing health and safety within their areas of control.
2. We will ensure that adequate resources, including time, equipment, and financial provision, are made available to effectively manage health and safety risks arising from our activities.
3. We will engage with employees on matters affecting their health and safety and provide appropriate information, instruction, training, and supervision, taking account of the seasonal and variable nature of our work.
4. We will ensure that contractors engaged on our behalf are competent, adequately supervised, and work to standards consistent with our own health and safety arrangements. Where necessary, we will seek competent external advice to support our in-house health and safety management.
5. We will monitor health and safety performance through inspections, audits, incident reporting, and investigation, using findings to drive continual improvement.
6. We will identify hazards, assess risks, and implement proportionate control measures. Where reasonably practicable, risks will be eliminated or reduced through engineering or technological controls.
7. We are committed to promoting a positive health and safety culture, with Chief Officers and Line Managers demonstrating visible leadership and accountability.

This statement is supported by detailed procedures and guidance and forms part of our overall health and safety management system. All employees and contractors are expected to cooperate fully with the implementation of this policy to ensure the health, safety, and welfare of all those affected by our work.

I look forward to your full co-operation and support.

Chief Executive Officer
Paul Burrows

Health and Safety Policy Statement

SMART Objectives

01 April 2026

We will achieve this policy through the following objectives:

1. **Leadership and Competence**

- SMART objective:
  Line Managers will undertake and record appropriate H&S leadership training appropriate to their role.

2. **Resources and Financial Commitment**

- SMART objective:
  Health and safety resource requirements will be reviewed annually as part of the business planning process to ensure continued suitability and effectiveness.

3. **Consultation, Information, Training and Supervision**

- SMART objectives:
  Role-specific refresher training will be completed at intervals not exceeding five years, or sooner where risk dictates.

4. **Contractors and External Support**

- SMART objective:
  All contractors will be subject to pre-engagement health and safety assessment and are subject to spot checks and periodic active monitoring.

5. **Monitoring, Review and Performance Measurement**

- SMART objectives:
  - *Formal workplace inspections will be carried out at least quarterly across operational areas.*
  - *All accidents, near misses, and dangerous occurrences will be reported and investigated, with corrective actions implemented within agreed timescales.*
  - *This policy and associated arrangements will be formally reviewed at least annually.*

6. **Risk Management and Safe Systems of Work**

- SMART objectives:
  - *All operational risk assessments will be reviewed at least annually and following any significant change or incident.*
  - *100% of high-risk activities (e.g., working near water, plant, and machinery use) will have documented safe systems of work in place and will be communicated to relevant workers.*

7. **Continuous Improvement and Safety Culture**

- SMART objective:
  At least three formal organisational health and safety performance reviews will be presented to senior management each year, incorporating incident trends, audit findings, and corrective actions. These findings will also be reported to the Middle Level Board.

Section 2 – Organisation

Overview

The Middle Level Commissioners are a public authority responsible for water level management on the major watercourses within the Middle Level of the Fens of Cambridgeshire and Norfolk. The Commissioners elect the Middle Level Board from their membership and they are joined on the Board by members appointed by levy paying Councils.

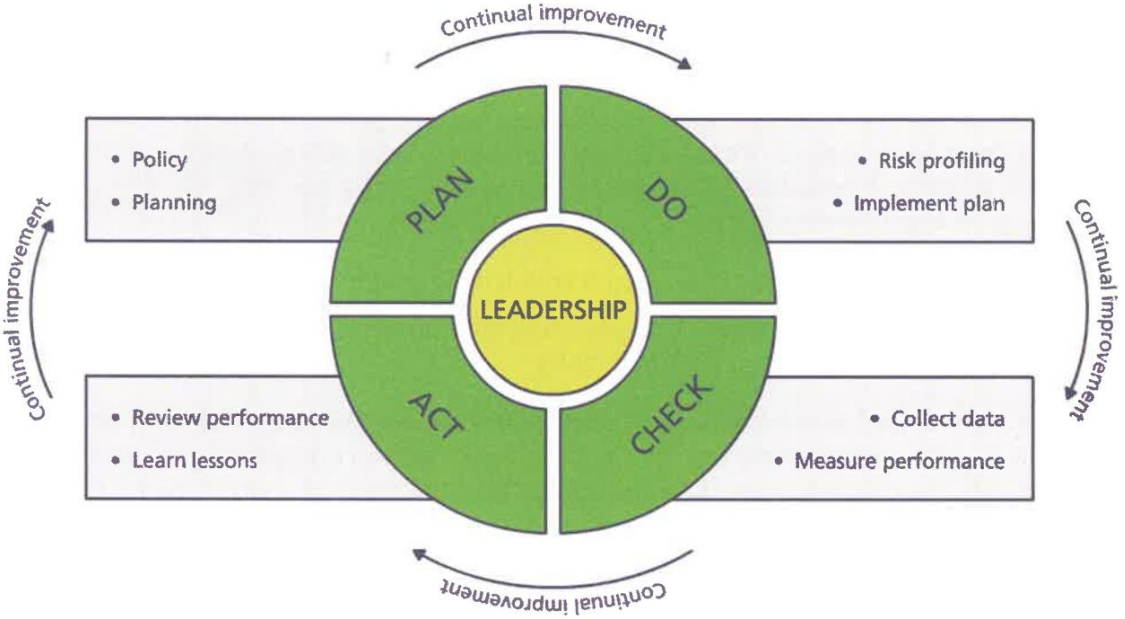
The Board appoints a Chief Executive/Clerk and a Chief Engineer. They lead and manage circa 45 other employees (plus contractors) to deliver the objectives and priorities that are set by the Board.

In addition, the Middle Level Commissioners' staff provides administrative, financial services, operational and engineering services to numerous other local drainage authorities (Internal Drainage Boards and District Drainage Commissioners).

This policy is relevant to the work the staff undertakes for the Middle Level Commissioners and undertakes as service provider to the IDBs and DDCs it provides services for.

Management Structure and System

This Policy document sits within a health and safety management system approach that we will continue to develop as part of our health and safety improvement journey over the coming years. This management system is based on **HSG65**, guidance produced by the Health and Safety Executive (HSE) to help organisations manage health and safety in line with the UK regulatory environment.



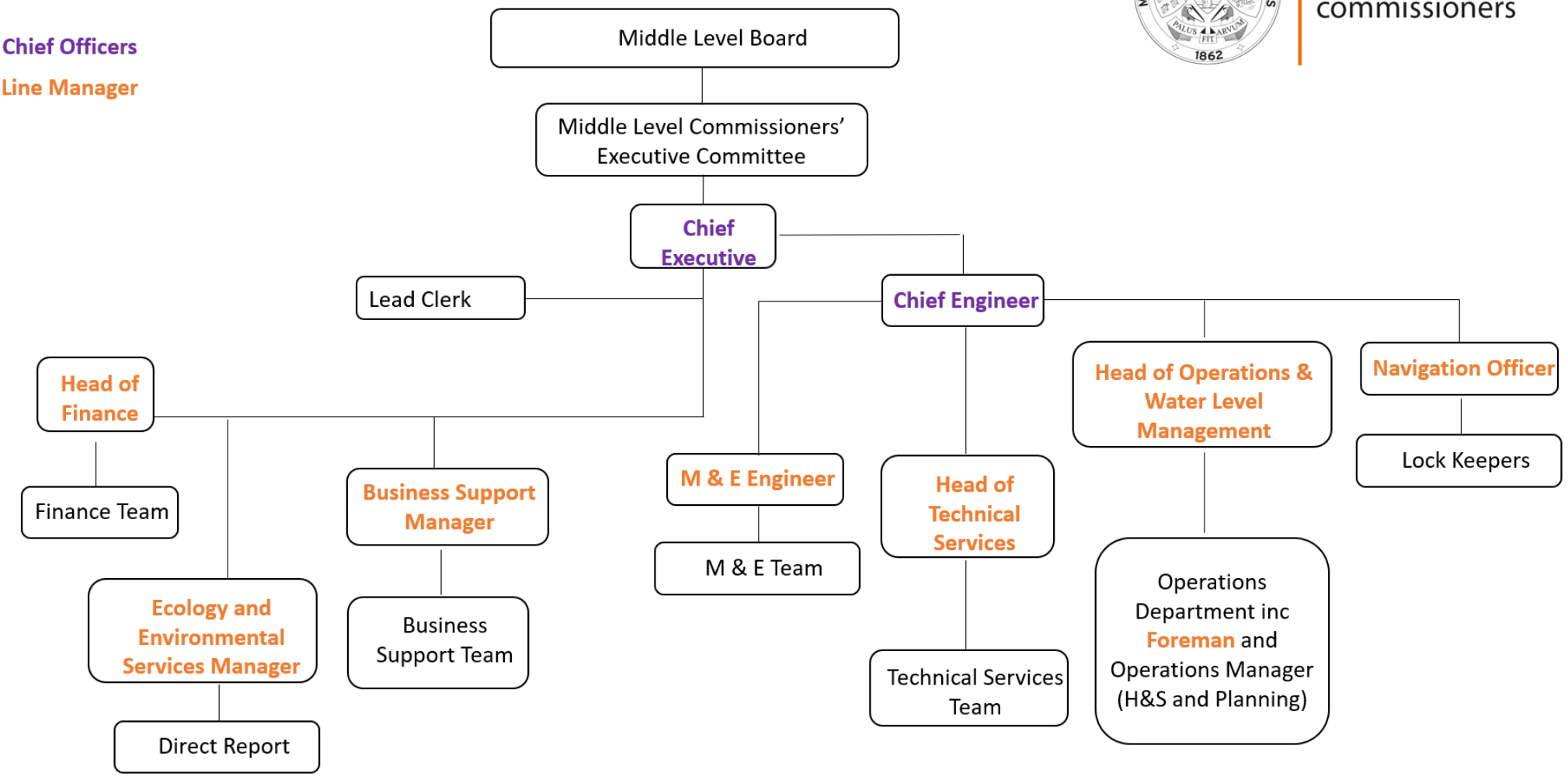
An organogram showing the HSW management structure for the Middle Level Commissioners is provided overleaf.

Health, Safety & Wellbeing – Organisational Structure

middle level commissioners

Chief Officers

Line Manager



Responsibilities

Responsibilities of the Chief Executive Officer

Health & Safety responsibilities are included within the Chief Executive job description as follows:

To ensure that those who have overall responsibility for the development and review of the MLC/IDBs health and safety policies are provided with relevant information to ensure that the MLC comply with relevant health and safety legislation in carrying out their functions.

The Chief Executive Officer, Mr Paul Burrows, recognises and accepts the above responsibility for health and safety and will ensure that suitable and sufficient arrangements are in place to satisfy the health and safety regulations and codes of practice that are applicable to the organisation.

The general responsibilities are to:

- Ensure that the Middle Level Board makes clear decisions and agrees adequate resources and sufficient financial arrangements to control health and safety risks arising from their work activities;
- Ensure that employees are engaged, informed and take active participation in the implementation of this policy and its arrangements;
- Ensure health and safety considerations are woven into the strategy, values and priorities of the organisation with due focus within staff performance management;
- Ensure that adequate training is undertaken by employees to enable them to safely undertake their work duties;
- Take appropriate action when statutory and/or internal standards are breached;
- Ensure that health and safety is on the agenda at all relevant meetings;
- Demonstrate visible health & safety leadership and support the Chief Engineer in the development, review and improvement of the organisation's health and safety policy implementation.

Responsibilities of Chief Engineer

Health & Safety responsibilities are included within the Chief Engineer job description as follows:

To oversee development and review of the MLC/IDBs health and safety policies and ensure that the MLC comply with relevant health and safety legislation in carrying out their engineering functions.

The Chief Engineer, Mrs Nicola Oldfield, recognises and accepts the above responsibility for health and safety and will ensure that suitable and sufficient arrangements are in place to satisfy the health and safety regulations and codes of practice that are applicable to the organisation.

The general responsibilities are to:

- Understand, initiate and monitor the effectiveness of the implementation of this policy and its arrangements, and ensure that any necessary alterations are made;
- Ensure that adequate training is undertaken by employees to enable them to safely undertake their work duties;
- Ensure that suitable arrangements are in place so that plant and equipment is provided and maintained and conforms to all relevant statutory provisions (e.g. guarding, examination and testing, etc.);
- Ensure that suitable arrangements are in place so that hazardous substances are marked, used, stored or handled in accordance with relevant guidance and procedures;
- Ensure that suitable arrangements are in place so that appropriate first aid, firefighting and any other relevant emergency equipment is provided and readily available;
- Ensure adequate emergency procedures are in place and that they are regularly tested;
- Ensure adequate procedures are in place to correctly report, record and investigate all accidents and incidents and that action is taken to prevent a reoccurrence;
- Ensure that health and safety is on the agenda at all relevant meetings; and
- Ensure that contractors understand and comply with the organisation's policies and procedures, and take action where compliance is not achieved.

Responsibilities of Line Managers.

The Line Managers are responsible for ensuring that health and safety arrangements are implemented by their direct reports and adhered to in the work for which they have control and responsibility.

In addition, the general responsibilities of Line Managers are to:

- Ensure they, and all employees under their control, observe the requirements of this policy;
- Ensure that all employees under their control have received induction and further training, refreshed at periodic intervals, relevant to the tasks that they perform;
- Ensure that, where necessary, suitable and sufficient risk assessments/safe systems of work are in place for the tasks undertaken, areas of work/specific sites or individuals at work;
- Ensure that arrangements are agreed with contractors to avoid conflicts with other operational activity, and that where necessary, suitable risk assessments/method statements are in place and are being observed;
- Ensure that all relevant health and safety information is communicated or distributed;
- Ensure that their area of control is kept tidy, that good housekeeping is maintained and that any waste is removed promptly;
- Ensure that all work equipment is in good condition, adequately maintained and guarded where necessary;
- Ensure that all hazardous substances are marked, used, stored or handled in accordance with relevant guidance and procedures;
- Ensure, where appropriate, that suitable and sufficient personal protective equipment is provided to and worn by persons in their area of control;
- Instigate relevant emergency procedures, where necessary, and ensure that the procedures are regularly tested;
- Assess, follow up and record any health and safety concerns from employees, and ensure that they are dealt with, or referred, in a timely manner;
- Ensure that all accidents and incidents are correctly reported, recorded and investigated and that action is taken to prevent a recurrence; and
- Attend relevant health and safety meetings when requested.

Line Managers are employees and must also comply with Section 2.3.4 Responsibilities of Employees.

Responsibilities of MLC Operations Manager (Planning and H&S)

In Q4 2024/25 we recruited to a new role as part of our H&S improvement journey, reporting to the Head of Operations & Water Level Management. The role will evolve over time.

The general responsibilities of the Operations Manager (Planning and H&S) include:

- Being an advocate for high standards of health, safety, wellbeing and environment within the organisation;
- Contributing to the development of organisational policies; proactively plan and ensure the delivery of all non-routine works undertaken/overseen by the Operations Department, ensuring they are planned and delivered in a safe and compliant manner;
- Acting as the lead client with our external H&S service provider, embedding continuous improvement across the organisation;
- Ensuring appropriate risk assessments/method statements are in place, are reviewed, communicated and implemented, e.g. through toolbox talks and active monitoring;
- Maintaining, managing & taking ownership of the Department's operational IT tools and systems, including tablets and apps (Microsoft 365); deliver training to the Workforce; collate, triage, log and action issues; report regularly to the leadership team;
- Assisting in the appointment and management of contractors; coordinating and liaising with the supply chain;

Responsibilities of Employees

It is the responsibility of all employees to co-operate in the implementation of this Health and Safety Policy. All employees have a duty to ensure their own safety and the safety of others, e.g. co-workers, contractors working on the same premises and customers or visitors to the premises).

The general responsibilities of employees are to:

- Adhere to the information, instruction and training they have received;
- Not operate any vehicle or machinery that they are not competent and authorised to use;
- Not interfere with or misuse anything provided in the interests of health and safety;
- Report all defects in plant, equipment or materials, or any other obvious health and safety hazards/near misses, accidents, injuries and dangerous occurrences to their Operations Manager (H&S), Line Manager or Head of Department;
- Ensure that appropriate action is taken to rectify unsafe systems or actions;
- Ensure good housekeeping at all times to prevent incidents where possible, e.g. cleaning up a spillage immediately after it has occurred;
- Carry out the role of duty holders under the CDM Regulations as required and appropriate.

Responsibilities of Contractors

It is the responsibility of contractors to co-operate in the implementation of this health and safety policy, and to follow all instruction provided by MLC.

The general responsibilities of contractors are to:

- Familiarise themselves with so much of this health and safety policy as affect them and will ensure that appropriate information is communicated to their employees, and/or any sub-contractors who will do work on behalf of the organisation;

- Provide a current copy of their health and safety policy, and any other relevant documentation, to the organisation when requested;

- Ensure that any work is carried out in accordance with relevant statutory provisions, guidance and best practice, and in such a manner as to not put either themselves or any other persons at risk;

- Ensure that all plant and equipment brought onto the premises is in a safe condition, good working order and conforms to all relevant statutory provisions, e.g. guarding, examination and testing, etc.;

- Ensure that all hazardous substances brought onto the premises are marked, used, stored or handled in accordance with relevant guidance and procedures. Any substances with significant health, fire or explosion risk, must be notified in advance to their contact at the organisation;

- Ensure that all fire prevention and precaution measures appropriate to the work are taken;

- Ensure steps are taken to minimise noise and vibration produced by their equipment and activities;

- Ensure that their work area is kept tidy, that good housekeeping is maintained and that any waste is removed as appropriate;

- Ensure that all accidents, incidents and near misses are reported as soon as possible to their MLC contact;

- Ensure that welfare facilities provided by the organisation are treated with care and respect.

Responsibilities of the Health and Safety Consultant

MLC may make use of external H&S service providers to provide, for example, advice, auditing, investigations, enforcement and training as needed. This role has no executive authority.

Work Safe Policy

Under the Management of Health and Safety at Work Regulations 1999, every employee has the right to refuse to carry out work that they believe to be unsafe.

Where an employee feels that the work they are asked to do is unsafe they must report it immediately to their Line Manager. If it is their Line Manager who has asked them to carry out the work, they may report it to the Operations Manager (Planning and H&S), Head of Department or directly to one of the Chief Officers. Work will not be recommenced until the safety concerns have been assessed, and any reasonable concerns addressed.

All refusals to work on safety grounds must be recorded, along with the findings of the assessment and actions taken to address the concerns.

No employee raising justifiable safety concerns will be subject to any related disciplinary action, discharge, suspension, laying-off, demotion or any financial or other penalty.

Section 3 – Arrangements

Asbestos

Management of asbestos in non-domestic premises

The employer has responsibilities to manage asbestos in non-domestic properties they will:

- Take reasonable steps to find out if there are materials containing asbestos in the premises and, if so, how much, where they are and what condition they are in. This will involve a survey being undertaken by a competent person. The results of the survey will be recorded and the information provided to anyone who may work on, or disturb, the materials, for example, contractors;

- Develop a plan to manage materials containing asbestos on the premises. In some cases, asbestos can be safely left in place and a system of inspection introduced. Where asbestos is to be removed, the duty holder will use a contractor who holds a licence to work on asbestos (exemptions apply);

- Undertake a suitable assessment of the risk to health of employees, and others, before any work is carried out that may expose persons to asbestos. The assessment should be completed by a competent person. The results of the assessment will be recorded and the information provided to employees, including the control measures in place to prevent exposure; and

- Review the survey and management plans at regular intervals and revise them as necessary.

Employees:

- Must co-operate with the arrangements for the management of asbestos in non-domestic premises, for example, ask to see a copy of the asbestos survey and be mindful as to where asbestos is present, such that they are able to recognise defects or shortcomings in arrangements; and

- Must notify the duty holder if there any defects or shortcomings in their arrangements.

Work with asbestos

Employers have responsibilities to manage work with asbestos containing materials. they will:

- Not undertake any work that exposes employees to asbestos unless a suitable and sufficient assessment has been carried out to identify whether asbestos is, or is liable to be present, of what type and in what condition;

- Make a suitable and sufficient assessment of the risks to employee health from any asbestos work and record the findings. The assessment should be reviewed regularly;

- Determine whether the work requires a licence, is notifiable non licensed work or is non- licensed work and will only undertake work they are licensed or competent to do;

- Prepare a written plan for any asbestos work detailing how the work is to be carried out. A copy of the plan will be kept at the workplace;

- Not undertake any work unless notified to the enforcing authority in writing (for licensed and notifiable non-licensed work);

- Ensure that adequate information, instruction and training is given to employees who are liable to be exposed to asbestos and those who supervise asbestos work;

- Prevent or reduce exposure of employees to asbestos so far as is reasonably practicable, ensuring that control measures are maintained in an efficient state, in efficient working order and good repair;
- Provide adequate and suitable protective clothing and ensure that such clothing is disposed of as asbestos waste or adequately cleaned at suitable intervals;
- Protect the health of employees from an accident, incident or emergency;
- Prevent, or where this is not reasonably practicable, reduce to the lowest level reasonably practicable, the spread of asbestos from any workplace and ensure that the workplace, and any plant used is kept in a clean state;
- Designate asbestos areas and respirator zones as appropriate during asbestos work;
- Monitor the exposure of employees to asbestos fibres present in air at regular intervals and when a change occurs (exemptions apply). In addition, employers will monitor for site clearance certification. Records are to be kept;
- Ensure that a health record for each employee, undertaking licensable work, is maintained and kept for 40 years. Medical surveillance is required by a relevant doctor at intervals not exceeding 2 years;
- Ensure that, on or before 30 April 2015, a health record for each employee, undertaking notifiable non-licensed work, is maintained and kept for 40 years. After 1 May 2015, medical surveillance is required by a relevant doctor at intervals not exceeding 3 years;
- Provide adequate washing and changing facilities; and
- Ensure the appropriate storage, distribution and labelling of asbestos waste.

Employees:

- Must co-operate with the arrangements for work with asbestos, in particular using any control measures, including dust suppression/extraction and personal protective equipment;
- Must carefully follow all procedures in the plan of work and keep the workplace clean;
- Must eat and drink only in the places provided; and
- Must report any defects or shortcomings in arrangements, and particularly in control measures, to their Department Leader or Line Manager immediately.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Control of Asbestos Regulations 2012

Resource(s)
L143: Control of Asbestos Regulations 2012. Approved Code of Practice and Guidance
HSG264 Asbestos: The Survey Guide
HSG247 Asbestos: The Licensed Contractors' Guide

Further information and guidance is available at www.hse.gov.uk

Confined Spaces

The definition of a confined space includes any space of an enclosed nature where there is a risk of death or serious injury from hazardous substances or dangerous conditions (e.g. lack of oxygen).

The employer has a responsibility to avoid work in confined spaces wherever possible, i.e. by ensuring that the work can be done from outside. However, where work in confined spaces cannot be avoided, they will:

- Carry out a suitable and sufficient assessment of the hazards and risks associated with the work, i.e. the task, the working environment, the materials and tools to be used, the suitability of those carrying out the task, and the arrangements for emergency rescue;
- Appoint competent people to help manage the risks and make sure that employees are adequately trained and instructed;
- Appoint a Supervisor with the responsibility of ensuring that the necessary precautions are taken, and to check safety at each stage;
- Implement a safe system of work and ensure that it is followed, this will include but may not be limited to:
    - Ensuring the effective isolation of mechanical and non-mechanical, e.g. electrical, services;
    - Ensuring that the confined space is effectively cleaned or purged before entry;
    - Ensuring safe access and exit, particularly if those completing the task are to wear bulky equipment;
    - Ensuring that the confined space remains adequately ventilated;
    - Arranging for a competent person to test the air as often as necessary, as determined by the suitable and sufficient assessment, to check that it is free from both toxic and flammable vapours and that it is fit to breathe;
    - Providing special equipment, e.g. non-sparking tools and specially protected lighting, where flammable or potentially explosive atmospheres are likely, etc.; and
    - Providing breathing apparatus, where necessary, if the air inside the confined space cannot be made fit to breathe.
- Ensure that employees undertaking the work have sufficient experience and training;
- Where the risk assessment highlights exceptional constraints as a result of the physical layout, ensure that employees are of suitable build, do not suffer from claustrophobia and are fit to wear breathing apparatus;
- Put in place adequate emergency arrangements before the work starts, i.e. to cover the necessary equipment, training and practice drills;
- Ensure there are adequate systems in place to enable communication between people inside and outside the confined space and to summon help in an emergency and take charge of the rescue procedures;
- Implement a permit-to-work system where appropriate, to ensure a formal check is undertaken to make sure all the elements of a safe system of work are in place before people are allowed to enter or work in the confined space;
- Provide suitable rescue and resuscitation equipment;

- Ensure that rescuers are properly trained, sufficiently fit to carry out their task, ready at hand, and capable of using any equipment provided for rescue, e.g. breathing apparatus, lifelines and fire-fighting equipment;

- Ensure that any adjacent plant is shut down before any rescue is attempted;

- Ensure that there are trained first aiders available to make proper use of any necessary first- aid equipment provided; and

- Have procedures in place to ensure that the emergency services are made aware of an incident and ensure that the relevant information is provided to them on arrival.

Employees:

- Must follow the safe system of work in place;

- Must understand and initiate the emergency arrangements, as necessary; and

- Must report any defects or shortcomings in arrangements, and particularly in control measures, to their Supervisor or Line Manager immediately.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Confined Spaces Regulations 1997

Resource(s)
L101: Safe Work in Confined Spaces. Confined Spaces Regulations 1997. Approved Code of Practice, Regulations and Guidance
INDG258 Confined Spaces: A Brief Guide to Working Safely

Further information and guidance is available at www.hse.gov.uk

Construction (Design and Management) Regulations 2015

The Regulations identify various duty holders and their roles to ensure health and safety is managed throughout all stages of a construction project. These duty holders include client, designer, principal designer, principal contractor, contractor and worker. As defined by the Regulations it is likely the organisation could undertake one or more of the following roles:

Clients:

- Will make suitable arrangements for managing a project, including the allocation of sufficient time and other resources;
- Will ensure that these arrangements are maintained and reviewed throughout the project;
- Will provide pre-construction information as soon as is practicable to every designer and contractor appointed, or being considered for appointment, to the project;
- Will ensure that, before the construction phase begins, a construction phase plan is drawn up by the contractor if there is only one contractor, or the principal contractor;
- Will ensure that the principal designer prepares a health and safety file for the project, which is revised from time to time to incorporate any new information;
- Will, if there is more than one contractor, appoint in writing, a principal designer and a principal contractor, before the construction phase begins; and
- Will, where a project is notifiable, give notice in writing to the Health and Safety Executive (HSE) as soon as is practicable before the construction phase begins. (F10 form)

A project is notifiable if the construction work is scheduled to:

- Last longer than 30 working days and have more than 20 workers working simultaneously at any point in the project; or
- Exceed 500 person days.

All designers or contractors appointed to work on a project must have the skills, knowledge and experience and, if they are an organisation, the capability to fulfil the role in a manner that secures the health and safety of any person affected by the project.

Designers:

- Will not commence work in relation to a project unless satisfied that the client is aware of their duties;
- Will eliminate, take steps to reduce or foreseeably control the risks that may arise during construction and the maintenance and use of a building once it is built; and
- Will provide sufficient information to other members of the project team to adequately assist them to comply with their duties.

Principal Designers:

- Will plan, manage and monitor the pre-construction phase and coordinate matters relating to health and safety during the pre-construction phase;

- Will prepare a health and safety file; and
- Will ensure that the health and safety file is appropriately reviewed, updated and revised from time to time.

Principal Contractors:

- Will, before setting up a construction site, draw up a construction phase plan;
- Will ensure that the construction phase plan is appropriately reviewed, updated and revised from time to time;
- Will plan, manage and monitor the construction phase and coordinate matters relating to health and safety during the construction phase;
- Will organise cooperation between contractors;
- Will ensure suitable site induction is provided;
- Will take necessary steps to prevent access by unauthorized persons to the construction site;
- Will ensure welfare facilities are available on the first day of work and throughout the construction phase. In addition, ensure that the welfare facilities are of sufficient size to accommodate all those on site who will use them, and ensure they are adequately cleaned and maintained; and
- Will make and maintain arrangements to ensure all those engaged in construction work cooperate effectively and consult on matters connected with the project which may affect their health and safety.

Contractors:

- Will not carry out construction work unless satisfied that the client is aware of their duties;
- Will plan, manage and monitor construction work carried out under their control;
- Will, where there is more than one contractor working on a project, ensure there is coordination with others involved;
- Will provide each worker under their control with appropriate supervision, instructions and information;
- Will check that suitable and sufficient welfare facilities have been provided and are being maintained; and
- Will prepare a construction phase plan where we are the only contractor on the project.

Workers:

- Must take care of their own health and safety and that of others who may be affected by their actions;
- Must report anything they see which is likely to endanger their own or others health and safety; and
- Must co-operate with their employer, other workers, contractors and other duty holders.

The Regulations contain general requirements for all construction sites that must be complied with, including:

- Safe places of construction work;
- Good order and site security;
- Stability of structures;
- Demolition and dismantling;
- Explosives;
- Excavations;
- Cofferdams and caissons;
- Reports of inspections;
- Energy distribution installations;
- Prevention of drowning;
- Traffic routes;
- Vehicles;
- Prevention of risk from fire, flooding or asphyxiation;
- Emergency procedures;
- Emergency routes and exits;
- Fire detection and fire-fighting;
- Fresh air;
- Temperature and weather protection; and
- Lighting.

Schedule 2 to the Regulations contains the minimum welfare facilities required for construction sites.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Construction (Design and Management (Regulations) 2015

Resource(s)
L153: Construction (Design and Management) Regulations 2015. Approved Code of Practice
HSG33: Health and Safety in Roof Work
HSG47: Avoiding Danger from Underground Services
HSG65: Managing for Health and Safety
HSG144: The Safe Use of Vehicles on Construction Sites
HSG150: Health and Safety in Construction
HSG151: Protecting the Public
HSG168: Fire Safety in Construction

Further information and guidance is available at www.hse.gov.uk

Control of Contractors

Both employers and contractors have responsibilities under health and safety legislation. Many contractors are employers too. Everyone needs to take the right precautions to eliminate or reduce health and safety risks to employees and the public.

Employers:

- Will identify all aspects of the work they want a contractor to do and consider the health and safety implications of the work;
- Will provide all potential contractors with this information and make sure they know and understand the performance expected of them;
- Will satisfy themselves that a chosen contractor can do the job safely and without risks to health. This means making enquiries about the competence of the contractor;
- Will ensure that the risk assessment for the work activities of the organisation covers risks to contractors and with the contractor consider any risks from each other's work that could affect the health and safety of the workforce or anyone else;
- Will agree any measures needed to control risk with the contractor before work starts, among other things to ensure that contractors are aware of hazards on site, e.g. the presence of asbestos containing materials;
- Will communicate, co-operate and co-ordinate with the contractor throughout the process and ensure that the contractor and their employees have information on health and safety risks they may face, the measures in place to deal with those risks and any emergency procedures;
- Will provide clear instructions, information and adequate training for their own employees;
- Will consult with their own employees on health and safety matters and how the contractor's work will affect their health and safety, making sure they know how to raise any concerns they may have about the contractors and their work;
- Will manage the contractor's work consistent with the level of risk;
- Will take prompt and appropriate action if contractors are observed working not in accordance with their risk assessments, or safety systems of work/method statements; and
- Will ensure that permits to work are arranged and completed as required.

Employees:

- Must co-operate with the arrangements for work with contractors; and
- Must report any defects or shortcomings in arrangements, and particularly in control measures, to their Department Leader or Line Manager immediately.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Management of Health and Safety at Work Regulations 1999
Construction (Design and Management) Regulations 2015

Resource(s)
HSG150: Health and Safety in Construction
HSG159: Managing Contractors

Further information and guidance is available at www.hse.gov.uk

Dangerous Substances and Explosive Atmospheres

Dangerous substances are any substances used or present at work that could, if not properly controlled, cause harm to people as a result of a fire or explosion. They can be found in nearly all workplaces and include such things as solvents, paints, varnishes, flammable gases, such as liquid petroleum gas (LPG), dust from machining and sanding operations and dust from foodstuffs.

Employers:

- Will identify what dangerous substances are in their workplace and what the fire and explosion risks are;
- Will put control measures in place to either remove those risks or, where this is not possible, to control them;
- Will put controls in place to reduce the effects of any incidents involving dangerous substances;
- Will prepare plans and procedures to deal with accidents, incidents and emergencies involving dangerous substances;
- Will make sure employees are properly informed about, and trained to control or deal with, the risks from the dangerous substances; and
- Will identify and classify areas of the workplace where explosive atmospheres may occur and avoid ignition sources (from unprotected equipment, for example) in those areas.

Employees:

- Must follow the safe system of work in place;
- Must understand and initiate the emergency arrangements, as necessary; and
- Must report any defects or shortcomings in arrangements, and particularly in control measures, to their Department Leader or Line Manager immediately.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Dangerous Substances and Explosive Atmospheres Regulations 2002

Resource(s)
L133: Unloading Petrol from Road Tankers. Dangerous Substances and Explosive Atmospheres Regulations 2002. Approved Code of Practice and Guidance
L138: Dangerous Substances and Explosive Atmospheres Regulations 2002. Approved Code of Practice and Guidance
HSG51: Storage of Flammable Liquids in Containers
HSG103: Safe Handling of Combustible Dusts
HSG140: Safe Use and Handling of Flammable Liquids
HSG166: Formula for Health and Safety
HSG176: Storage of Flammable Liquids in Tanks
HSG178: Spraying of Flammable Liquids

Further information and guidance is available at www.hse.gov.uk

Display Screen Equipment

The use of display screen equipment (DSE) at work (in the office and/or home working) may result in ill effects including:

- Upper limb pains and discomfort;
- Eye and eyesight effects; and
- Fatigue and stress.

People who habitually use DSE as a significant part of their normal work are defined as 'users'. The Employer has a responsibility to avoid or reduce risks to users, or persons likely to become users.

Department Leaders and Line Managers will:

- Ensure that for all users, for which they have responsibility, a DSE risk assessment is carried out and a record kept. In practice this means that there will be at least one completed risk assessment form for each member of staff.

- Ensure any reasonable adjustments are made and provide appropriate equipment as identified in a DSE risk assessment which will significantly reduce any ill effects associated with DSE work;

- Eyecare provision will be provided as a minimum in line with statutory requirements and outlined within the Employee Handbook.

- All employees are considered DSE users.

Users:

- Must undertake a DSE risk assessments as required; and

- Must notify their Line Manager if they become aware of any ill effects associated with their DSE work so that the DSE risk assessment may be reviewed.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Health and Safety (Display Screen Equipment) Regulations 1992 (as amended)

Resource(s)
L26: Work with Display Screen Equipment: Health and Safety (Display Screen Equipment) Regulations 1992 as Amended by the Health and Safety (Miscellaneous Amendments) Regulations 2002

Further information and guidance is available at www.hse.gov.uk

Driving and Vehicles

Driving for work, including the use of company vehicles and privately owned vehicles (with appropriate authorisation), presents significant risks to health and safety. Road traffic collisions remain one of the most common causes of work-related fatality and serious injury. Risks associated with driving activities include driver fatigue, distraction, adverse weather, poor vehicle condition, unsafe loading, unsuitable terrain, and inadequate driver competence.

Employees of the Middle Level Commissioners will be required to drive on public highways, rural roads, embankments, tracks, construction sites and other operational environments as part of their duties, depending on their role. Safe management of occupational road risk is therefore essential to protect employees, contractors, members of the public and others who may be affected by work activities.

As employer, the Middle Level Commissioners:

- Will ensure that all drivers authorised to operate company vehicles, plant or tow trailers are suitably competent, trained, medically fit where appropriate, and hold a valid licence for the class of vehicle being operated;
- Will undertake reasonable checks to verify driving licences at suitable intervals and will take appropriate action where endorsements, restrictions, disqualifications or other concerns are identified;
- Will ensure that company vehicles are suitable for their intended purpose, maintained in a safe condition, subject to appropriate inspection and servicing regimes, and equipped in accordance with operational requirements;
- Will ensure that vehicles used for operational activities are provided with suitable safety equipment where necessary, including first aid kits, warning beacons, communications equipment, spill kits, fire extinguishers or recovery equipment appropriate to the task and environment;
- Will ensure that work-related driving activities are properly planned and managed, taking account of journey length, weather conditions, driver fatigue, site access arrangements, towing operations, and the suitability of routes and ground conditions;
- Will ensure that suitable arrangements are in place to manage occupational road risk associated with lone working, remote locations, adverse weather conditions and work near watercourses;
- Will ensure that loads carried in vehicles or trailers are suitable, stable, secure and within the legal weight limits of the vehicle and trailer combination;
- Will ensure that employees are provided with suitable information, instruction and training regarding safe driving practices, vehicle checks, towing operations, and actions to be taken in the event of breakdown, collision or emergency;
- Will ensure that drivers are not required or encouraged to drive whilst fatigued, unfit through illness, under the influence of alcohol or drugs, or while otherwise impaired;
- Will ensure that the use of mobile phones and other in-vehicle devices is controlled in accordance with current legislation and safe working practices. The use of hand-held mobile phones whilst driving is prohibited;
- Will ensure that appropriate arrangements are in place for reporting vehicle defects, collisions, near misses and incidents involving company vehicles, and that suitable investigation and corrective actions are undertaken where necessary;
- Will ensure that any privately owned vehicles used for business purposes are subject to appropriate

checks, including confirmation of valid insurance for business use, MOT certification where applicable, and roadworthiness;

- Will ensure that all employees are provided with a suitable emergency escape tool, incorporating a glass hammer and seat belt cutter, for use in any vehicle operated in connection with work activities, including privately owned vehicles used for business purposes and unallocated company vehicles; and

- Will ensure that towing operations are risk assessed and only undertaken by competent persons using suitable vehicles, trailers, couplings and equipment.

Employees:

- Must ensure that they are legally entitled, medically fit and competent to drive the vehicle or trailer combination they are using;

- Must carry out appropriate pre-use vehicle checks and, for MLC-owned vehicles, report any defects, damage or concerns promptly to their Line Manager or Operations Manager (H&S);

- Must not operate any vehicle which they know, or suspect, to be unsafe or unroadworthy;

- Must comply with road traffic legislation, site traffic management arrangements and any safe systems of work relating to driving activities;

- Must drive in a safe and considerate manner appropriate to the prevailing road, site, traffic and weather conditions;

- Must ensure that seatbelts are worn and that passengers are transported safely;

- Must not use hand-held mobile phones or other distracting devices whilst driving;

- Must ensure that loads are safely secured and that vehicles are not overloaded;

- Must report all collisions, vehicle damage, defects, breakdowns, near misses and driving-related incidents as soon as practicable;

- Must co-operate with any driver assessment, licence verification or training arrangements implemented by the organisation; and

- Must not drive whilst under the influence of alcohol, illegal drugs, prescribed medication that may impair driving ability, or whilst excessively fatigued.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Health and Safety at Work etc. Act 1974
Management of Health and Safety at Work Regulations 1999
Provision and Use of Work Equipment Regulations 1998
Road Traffic Act 1988
Road Vehicles (Construction and Use) Regulations 1986

Resource(s)
INDG382: Driving at Work – Managing Work Related Road Safety
HSG136: Workplace Transport Safety
The Highway Code

Further information and guidance is available at the www.hse.gov.uk and GOV.UK websites.

Electricity

Electricity can kill or severely injure people and cause damage to property. Every year many accidents at work involving electric shock or burns are reported to the Health and Safety Executive (HSE). Most of the fatal incidents are caused by contact with overhead power lines. Even non-fatal shocks can cause severe and/or permanent injury, e.g. shocks from faulty equipment may lead to falls from ladders, scaffolds or other work platforms. Those using or working with electricity may not be the only ones at risk – poor electrical installations and faulty electrical appliances can lead to fire, which may also cause death or injury to others.

The use of electricity in environments cannot be avoided as it is in nearly all working premises. Working safely with electricity and electrical equipment is vital.

Employers will:

- Ensure all systems (and conductors in a system) are of such construction as to prevent, so far as is reasonably practicable, danger. This includes suitable insulation, protection and placing of conductors, and earthing or other suitable precautions to protect against faults and excess current;
- Ensure all systems are maintained, so as to prevent, so far as is reasonably practicable, such danger;
- Ensure every work activity, including operation, use and maintenance of a system and work near a system, is carried out in such a manner so as not to give rise to danger;
- Ensure any equipment provided to protect people at work on or near electrical equipment is suitable, maintained and properly used;
- Ensure that no electrical equipment is put into use where its strength and capability may be exceeded in such a way as to give rise to danger;
- Ensure that any electrical equipment that may reasonably be exposed to mechanical damage, the effects of the weather, the effects of wet, dirty, dusty or corrosive conditions, or any flammable or explosive substance, is of such construction or as necessary constructed as to prevent, so far as is reasonably practicable, danger;
- Ensure, where necessary to prevent danger, suitable means are available for cutting off the supply of electrical energy and isolating it;
- Ensure adequate precautions are taken to prevent electrical equipment, which has been made dead in order to prevent danger while work is carried out on or near that equipment, from becoming electrically charged during that work;
- Ensure that where work is planned on or near electrical assets owned or operated by third parties (including overhead and underground power lines), the relevant Distribution Network Operator (e.g. UK Power Networks) and any other appropriate service providers are contacted in advance to consult, provide advice, and agree safe systems of work;
- Ensure that all electrical services crossing or located within watercourses are accurately identified, recorded on relevant drawings and maps, and are clearly and suitably marked on site in accordance with HSG47 and GS6 guidance, so as to prevent, so far as is reasonably practicable, danger during operation, maintenance, and any associated works;
- Not allow any person to engage in work on or near live conductors unless it is unreasonable in all circumstances for it to be so, and suitable precautions are taken to prevent injury; and
- Not allow any person to engage in any work activity associated with electrical equipment, without

adequate technical knowledge or experience (unless that person is under such a degree of supervision from someone with such knowledge and experience).

Employees:

- Must co-operate with their employer to enable the duties placed on them to be complied with; and
- Must comply with the above provisions so far as they relate to matters within their control.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Electricity at Work Regulations 1989

Resource(s)
HSR25: Memorandum of Guidance on the Electricity at Work Regulations 1989. Guidance on Regulations
HSG85 Electricity at Work: Safe Working Practices
HSG107: Maintaining Portable Electrical Equipment
HSG230: Keeping Electrical Switchgear Safe
HSG47: Avoiding Danger from Underground Services
GS6: Avoiding Danger from Overhead Power Lines

Further information and guidance is available at www.hse.gov.uk

Excavations

Excavation work presents significant risks to health and safety. These risks include collapse of excavation sides, falls into excavations, contact with underground services, hazardous atmospheres, flooding, and the movement of plant and materials near excavation edges. Failure to adequately plan, support, and manage excavation works can result in serious injury or death.

The risks associated with excavation work are well established and remain a common cause of fatal and major injuries reported to the Health and Safety Executive (HSE). Safe excavation work requires effective planning, competent supervision, and the implementation of suitable control measures throughout the duration of the works.

Employers:

- Will ensure that all excavation works are properly planned, risk assessed and carried out in accordance with a suitable and sufficient safe system of work before work commences;
- Will ensure that the location of all underground services is identified, verified and clearly marked prior to excavation, in accordance with HSG47, and that appropriate precautions are taken to prevent contact or damage;
- Will ensure that excavations are designed, supported or battered back as necessary to prevent collapse, taking into account ground conditions, depth, adjacent structures, weather conditions and any imposed loads;
- Will ensure that excavations are inspected by a competent person at appropriate intervals, including at the start of each shift and after any event that may have affected stability, such as heavy rain, vibration or plant movement;
- Will ensure that suitable measures are in place to prevent falls into excavations, including barriers, covers, guardrails, or exclusion zones, and that safe access and egress are provided where required;
- Will ensure that plant, vehicles, materials and spoil are kept at a safe distance from the edges of excavations to prevent collapse or overloading;
- Will ensure that suitable precautions are taken to prevent the build-up of hazardous atmospheres and to control water ingress, including the provision of ventilation, pumping or monitoring where necessary;
- Will ensure that emergency arrangements are in place and communicated to all relevant persons, including procedures for rescue from excavations, collapse, flooding, or contact with underground services;
- Will ensure that all persons involved in excavation work are provided with suitable information, instruction, training, and supervision appropriate to the risks involved; and
- Will not allow any person to carry out or supervise excavation work unless they are competent to do so, or are under the direct supervision of a competent person.

Employees:

- Must co-operate with their employer to enable the duties placed on them to be complied with; and
- Must follow all risk assessments, method statements, permits to dig, and site controls relating to excavation work, and must not enter or interfere with any excavation unless authorised and it is safe to do so.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)

Health and Safety at Work etc. Act 1974
Management of Health and Safety at Work Regulations 1999
Construction (Design and Management) Regulations 2015

Resource(s)

HSG185: Health and Safety in Excavations
HSG47: Avoiding Danger from Underground Services
L101: Safe Work in Confined Spaces

Further information and guidance is available at www.hse.gov.uk

Fire

The cost of a serious fire can be high and many businesses fail to recover. The consequences of fire include property and stock damage, lost business and increased insurance premiums – moreover fire can seriously injure and kill.

The responsible person(s) in a workplace is likely to be the employer; however, it may be the person in control of the premises, for example, a building owner. In all other premises it will be the person, or persons in control of the premises who are responsible for fire precautions. The responsible person(s) has a duty to ensure that any fire risks are identified, evaluated, removed or reduced to ensure people (including employees, visitors, contractors and members of the public) are protected, so far as is as reasonably practicable.
Responsible Person(s) will:

- Carry out a suitable and sufficient fire risk assessment, considering the presence of dangerous substances, ignition and oxygen sources, and the risk(s) presented to people from fire, to determine whether further precautions are required to remove or reduce the risk and protect people;

- Record the significant findings of their fire risk assessment if they employ five or more people and ensure this is communicated to relevant people;

- Nominate one or more competent people, depending on the size and use of the premises to carry out the precautions identified by the risk assessment. A competent person is someone with the knowledge, training and/or experience to implement the precautions properly;

- Provide employees, and other relevant people, with clear and relevant information, instruction and training on the risk of fire and the measures taken to protect them. There is particular emphasis on those people at specific risk, for example, people with a disability, young people etc.;

- Co-operate and co-ordinate with other responsible persons for shared premises;

- Establish a suitable means of contacting the emergency services and providing relevant information regarding the risk from dangerous substances, and liaise with the emergency services and enforcing authority where necessary; and

- Ensure that the premises and any equipment provided in connection with fire detection and warning, firefighting, emergency routes and exits are covered by a suitable system of maintenance and are maintained by a competent person in an efficient state, working order and good repair.

Relevant Persons, including employees:

- Must co-operate with the responsible person(s) to ensure the workplace is safe from fire and its effects, and must not do anything that will place themselves or others at risk;

- Must only attempt to use fire extinguishers where they are competent and it is safe to do so, and only to control a fire in its initial stages (normally within the first 30 seconds of ignition), ensuring that their own safety and the safety of others is not compromised. Where a fire is established or cannot be safely controlled, they must evacuate the premises immediately and contact the fire and rescue service;

- Must inform the responsible person(s), or other person with specific responsibility, of any work situation presenting a serious and immediate danger, or shortcoming in arrangement that may result in such danger; and

- Must follow all training and instruction received.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Regulatory Reform (Fire Safety) Order 2005

Resource(s)
HSG51: Storage of Flammable Liquids in Containers
HSG168: Fire Safety in Construction
HSG176: Storage of Flammable Liquids in Tanks

Further information and guidance is available at www.hse.gov.uk

First Aid and Accident Reporting

The purpose of first aid is to preserve life, prevent a condition from becoming worse and promote recovery. All employers have a duty to make arrangements to ensure their employees receive immediate attention if they are injured or taken ill at work.

An employer should make an assessment of first aid needs, appropriate to the circumstances of each workplace, to ensure that sufficient first aid personnel, equipment and facilities are available.

Based on that assessment, where an employer provides first aiders in the workplace, they should have a valid certificate of competence in either first aid at work (FAW) or emergency first aid at work (EFAW). EFAW training enables a first aider to give emergency first aid to someone who is injured or becomes ill at work, whereas FAW training additionally equips a first aider to deal with a range of injuries and illnesses. An appointed person is not a first aider, but someone to look after the first aid equipment, facilities and call the emergency services when required. The following table serves as a guide as to how many first aiders or appointed persons are needed.

Degree of Hazard	Numbers Employed at any Location	Suggested Number of First Aid Trained Personnel at all Times People are at Work
Low hazard, e.g. offices, shops and libraries	Less than 25	At least one appointed person
	25 – 50	At least one first aider trained in EFAW
	More than 50	At least one first aider trained in FAW for every 100 employed (or part thereof)
Higher hazard, e.g. light engineering and assembly work, food processing, warehousing, extensive work with machinery or sharp instruments, construction and chemical manufacturing	Fewer than 5	At least one appointed person
	5 – 50	At least one first aider trained in EFAW or FAW depending on the type of injuries that might occur
	More than 50	At least one first aider trained in FAW for every 50 employed (or part thereof)

In addition to the above, employers must account for:

- Additional training to deal with injuries resulting from special hazards;
- Inexperienced workers or employees with disabilities;
- Employees who work remotely or alone;
- Employees who work shifts or out of hours;
- Workplaces remote from emergency medical services;
- Employees working at sites occupied by other employers;
- Planned and unplanned absences by first aiders or appointed persons; and
- Members of the public who visit the workplace.

All businesses must have appropriate means for enabling first aid at work. Following any accident there is a requirement for the employee to report accident details to the employer. The employer then has a duty to investigate the accident and notify the enforcing authorities, where appropriate.

Department Leaders and Line Managers:

- Will ensure that an ambulance or other professional help is summoned as soon as possible by the most appropriate means or other arrangements are made, as necessary;

- Will ensure that they have an adequate number of first aid personnel in their area, and that the number of first aid personnel is monitored and reviewed;

Operations Manager (H&S):

- Will ensure that there are an adequate number of first aid boxes in the workplace, and that they are suitably stocked, and properly identified;

- Will provide means for the accident to be recorded and check that the accident details are a full and correct account of the accident;

- Will follow up accidents and ensure that any remedial actions, where required, are carried out, to prevent recurrence;

- Will ensure that the Incident Contact Centre are notified where appropriate using the correct reporting method; and

- Will monitor and review accidents to ensure the effectiveness of these arrangements.

Employees:

- Must advise management of all accidents. When you are injured at work, the law says that you must tell your employer as soon as possible. You do this by ensuring that details of the accident are recorded in the Accident Book;

- Must look after your own safety and the safety of others who may be affected by your acts or omissions; and

- Must use work equipment and personal protective equipment correctly, and not misuse any item of equipment. If an accident does occur report it to your Supervisor or Manager immediately.

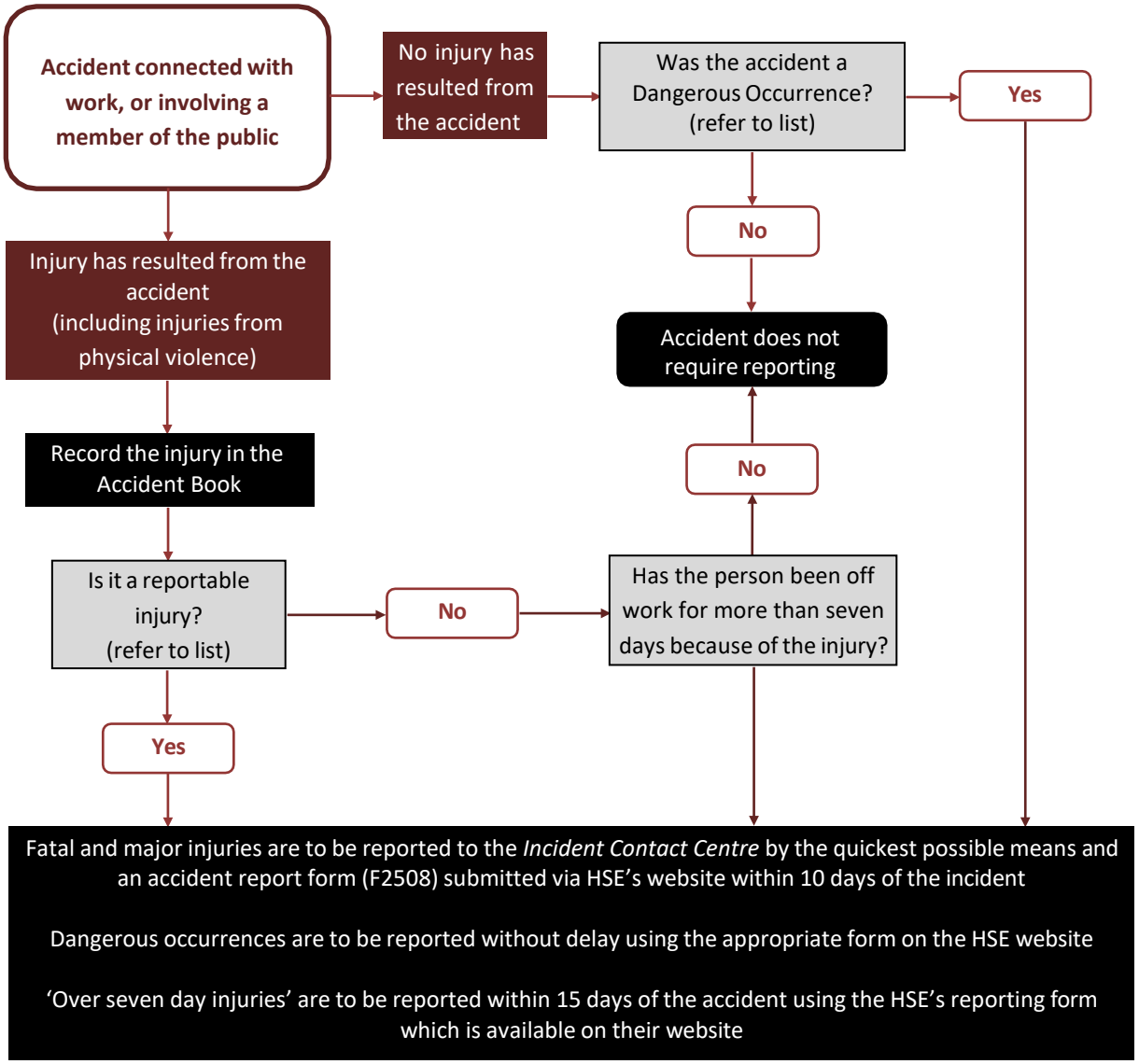
RIDDOR – Reporting of Injuries, Diseases and Dangerous Occurrences Regulations

Employers, or other responsible persons (dependent on the status of the injured party or workplace), are required to report and keep records of:

  - Work related accidents which cause death;
  - Work related accidents which cause certain serious injuries;
  - Diagnosed cases of certain industrial diseases; and
  - Certain dangerous occurrences.

In relation to a quarry, the responsible person is the operator of the quarry.

The diagram overleaf is provided to help decide when an incident should be reported to the Incident Contact Centre.



Deaths

All deaths to workers and non-workers, with the exception of suicides, must be reported if they arise from a work-related accident, including an act of physical violence to a worker. This applies for up to one year following the date of the accident.

Specified Injuries

Any of the following specified injuries must be reported:

- Any fracture, other than fingers, thumbs or toes;
- Any amputation;
- Any injury likely to lead to permanent loss of sight or reduction in sight in one or both eyes;
- Any crush injury to the head or torso causing damage to the brain or internal organs;
- Serious burns (including scalding) which:
  - Cover more than 10% of the body; or
  - Cause significant damage to the eyes, respiratory system or other vital organs.

- Any scalping requiring hospital treatment;
- Any loss of consciousness caused by head injury or asphyxia;
- Any other injury arising from working in an enclosed space which:
  - Leads to hypothermia or heat-induced illness; or
  - Requires resuscitation or admittance to hospital for more than 24 hours.

Over-seven-day Incapacitation of a Worker

Accidents must be reported where they result in an employee or self-employed person being away from work, or unable to perform their normal work duties, for more than seven consecutive days as a result of their injury. This seven day period does not include the day of the accident, but does include weekends and rest days.

Over-three-day Incapacitation of a Worker

Accidents must be recorded, but need not be reported, where they result in a worker being incapacitated for more than three consecutive days.

Injuries to Non-workers (e.g. Members of the Public)

Work-related accidents to members of the public, or others who are not at work, must be reported if they result in an injury, and the person is taken directly from the scene of the accident to hospital for treatment to that injury. Examinations and diagnostic tests do not constitute 'treatment' in such circumstances. There is no need to report incidents where people are taken to hospital purely as a precaution when no injury is apparent.

If the accident occurred at a hospital, the report only needs to be made if the injury is a specified injury (as above).

Dangerous Occurrences

Dangerous occurrences, irrespective of any personal injury resulting, should also be reported to the Incident Contact Centre. The list below gives a brief guide to the types of dangerous occurrences which should be reported:

- Lifting equipment;
- Pressure systems;
- Overhead electric lines;
- Electrical incidents causing explosion or fire;
- Explosives;
- Biological agents;
- Radiation generators and radiography;
- Breathing apparatus;
- Diving operations;
- Collapse of scaffolding;
- Train collisions;
- Wells;
- Pipelines or pipeline works;
- Structural collapse;
- Explosions or fire;
- Release of flammable liquids and gases; and
- Hazardous escapes of substances.

Further incidents may be reportable for specific workplaces, e.g. quarries.

Occupational Diseases

Where, in relation to a person at work, the responsible person receives a diagnosis of any of the diseases listed below they must follow the correct reporting procedures:

- Carpal Tunnel Syndrome, where the person's work involves regular use of percussive or vibrating tools;
- Cramp in the hand or foreman, where the person's work involves prolonged periods of repetitive movement of the fingers, hand or arm;
- Occupational dermatitis, where the person's work involves significant or regular exposure to a known skin sensitiser or irritant;
- Hand Arm Vibration Syndrome, where the person's work involves regular use of percussive or vibrating tools, or holding materials subject to percussive processes, or processes causing vibration;
- Occupational asthma, where the person's work involves significant or regular exposure to a known respiratory sensitiser; or
- Tendonitis or tenosynovitis in the hand or forearm, where the person's work is physically demanding and involves frequent, repetitive movements.

Exposure to Carcinogens, Mutagens and Biological Agents

Where, in relation to a person at work, the responsible person receives a diagnosis of:

- Any cancer attributed to an occupational exposure to a known human carcinogen or mutagen (including ionising radiation); or
- Any disease attributed to an occupational exposure to a biological agent.

Reporting Injuries, Diseases and Dangerous Occurrences

Fatal and major injuries must be reported by the quickest possible means to the Incident Contact Centre, and followed up by the completion of the 'Report of an injury' form available via the HSE website within 10 days of the incident (see www.hse.gov.uk/riddor).

Dangerous occurrences must be reported without delay by way of completion of the appropriate form on the website. Over-seven-day injuries must be reported by completing the 'Report of an injury' form within 15 days of the incident.

Cases of occupational diseases, including those associated with exposure to Carcinogens, Mutagens or Biological Agents, must be reported as soon as the responsible person receives a diagnosis, using the appropriate on-line form.

The responsible person is required to keep records of every event which must be reported, and records of injuries that result in a person unable to carry out their normal duties for more than three days, for at least three years.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)

Health and Safety (First Aid) Regulations 1981
The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

Resource(s)

L74: First Aid at Work. Health and Safety (First Aid) Regulations 1981. Guidance on Regulations

Further information and guidance is available at www.hse.gov.uk

Hazardous Substances

Hazardous substances can occur in many forms, including solids, liquids, vapours, gases and fumes. They can also be simple asphyxiants (gases or vapours that can displace oxygen content to such an extent that life cannot be supported) or biological agents (such as bacteria, viruses, fungi and parasites). Special consideration must be given to substances that can cause asthma, cancer or other irreversible effects.

Separate Regulations cover other specific hazardous substances, such as asbestos, lead, ionising radiation and flammable/explosive substances.

The employer should regard a substance or preparation (a mixture of two or more substances) as hazardous if it has the potential to cause harm if it is ingested, inhaled, absorbed by, or comes into contact with, the skin, or other body membranes, including by injection.

Employers:

- Will not carry out any work which can expose any of their employees to any substances hazardous to health until a suitable and sufficient assessment of the risk to employees' health created by that work has been carried out; and the steps needed to prevent or adequately control exposure have been identified and put into operation;
- Will ensure that the person (or persons) who carries out the assessment and provides information of the prevention and control measures are competent to do so;
- Will consult employees on any measures they plan to introduce as a result of an assessment;
- Will establish procedures to ensure that control measures, including personal protective equipment and any other item or facility, are properly used or applied and are not made less effective by other work practices or by improper use;
- Will ensure that any control measure, including engineering controls and personal protective equipment, is maintained in an efficient state, in efficient working order and in a clean condition;
- Will ensure that any control measure, including systems of work and supervision, are reviewed at suitable intervals and revised as necessary;
- Will ensure that in the case of engineering controls, thorough examination and testing is carried out at suitable intervals. In the case of local exhaust ventilation this is at least once every 14 months (unless for a specified process). Records are to be kept for 5 years;
- Will ensure that in the case of respiratory protective equipment (other than disposable), thorough examination and testing is carried out at suitable intervals. Records are to be kept for 5 years;
- Will ensure that the person (or persons) who carries out maintenance, examination and testing of control measures are competent to do so;
- Will ensure, where the risk assessment indicates it is requisite for ensuring the maintenance of adequate control, or to otherwise protective the health of employees, that the exposure of employees to substances hazardous to health is monitored;
- Will ensure that in the case of exposure monitoring, it is completed at regular intervals. Records are to be kept for 5 years (40 years where a record contains the personal monitoring data of an individual employee);

- Will ensure that any person (or persons) who carries out exposure monitoring are competent to do so;
- Will ensure, where it is appropriate for the protection of health, that employees who are, or are likely to be, exposed to substances hazardous to health, are under suitable health surveillance;
- Will ensure that in the case of health surveillance, it is completed at regular intervals. Records are to be kept for 40 years;
- Will ensure that any person (or persons) who carries out health surveillance are competent to do so;
- Will provide employees with suitable and sufficient information, instruction and training to include details of the substances hazardous to health to which they are likely to be exposed, the significant findings of the risk assessment, the precautions in place to safeguard them and others (including hygiene arrangements) and the results of any monitoring; and
- Will ensure that procedures are in place, including the provision of appropriate first-aid facilities, warning and communication systems and relevant safety drills, in order to protect the health of employees from an accident, incident or emergency.

Employees:

- Must use the control measures in the way they are intended and as they have been instructed, including following defined methods of work;
- Must wear any personal protective equipment provided, correctly, in accordance with the manufacturer's instructions, when they have been advised it is required;
- Must ensure that any personal protective equipment is stored, when not in use, in the accommodation that is provided to prevent damage;
- Must use the welfare facilities provided to maintain a high standard of personal hygiene;
- Must remove any personal protective equipment which could cause contamination before eating drinking or smoking;
- Must report any defects noted with regards to personal protective equipment to the appropriate person promptly; and
- Must not use damaged personal protective equipment.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Control of Substances Hazardous to Health Regulations 2002 (as amended)

Resource(s)
L5: Control of Substances Hazardous to Health Regulations 2002. Approved Code of Practice and Guidance on Regulations
L8: Control of Legionella Bacteria in Water Systems. Approved Code of Practice and Guidance on Regulations
EH40/2005: Workplace Exposure Limits (as amended)
HSG53: Respiratory Protective Equipment at Work
HSG97: A Step by Step Guide to COSHH Assessment
HSG167: Biological Monitoring in the Workplace

HSG173: Monitoring Strategies for Toxic Substances
HSG187: Control of Diesel Engine Exhaust Emissions in the Workplace
HSG258: Controlling Airborne Contaminants at Work
HSG262: Managing Skin Exposure Risks at Work
HSG274: Legionnaires' Disease

Further information and guidance is available at www.hse.gov.uk

Health and Safety Management

Organisations have a legal duty to put in place suitable arrangements to manage health and safety.

Employers:

- Will make a suitable and sufficient assessment of the risks to the health and safety of employees to which they are exposed whilst at work; and the risks to others, such as contractors, visitors and members of the public arising out of or in connection with the undertaking;

- Will review the assessment when there is reason to believe it is no longer valid; or there has been a significant change in the matters to which it relates;

- Will not employ a young person unless an assessment has been made taking into account the inexperience, lack of awareness of risks and immaturity of young persons, and that they are protected from any risks to their health and safety as a consequence;

- Will ensure that the significant findings of an assessment are recorded (where there are 5 or more employees);

- Will implement preventive and protective measures using the hierarchy of controls;

    - **Elimination**: Physically remove the hazard (e.g., stopping a dangerous process).
    - **Substitution:** Replace the hazard with a safer alternative (e.g., using a less toxic chemical).
    - **Engineering Controls:** Isolate people from the hazard (e.g., machine guarding, ventilation systems).
    - **Administrative Controls:** Change the way people work (e.g., training, shift rotation, safety signs).
    - **Personal Protective Equipment (PPE):** Protect employees with wearable equipment (e.g., gloves, masks, hard hats).

- Will make and give effect to such arrangements as are appropriate, having regard to the nature of activities and size of undertaking, for the effective planning, organisation, control, monitoring and review of preventive and protective measures;

- Will ensure that the arrangements are recorded (where there are 5 or more employees);

- Will ensure that employees are provided with such health surveillance as is appropriate having regard to the risks that are identified by the assessment;

- Will appoint one or more competent persons to assist with the management of health and safety. Such persons will have sufficient training and experience or knowledge and other qualities to enable them to properly assist;

- Will establish appropriate procedures to be followed in the event of serious and imminent danger;

- Will ensure that any necessary contacts with external services are arranged, particularly as regards first-aid, emergency medical care and rescue work;

- Will provide employees with comprehensive and relevant information on the risks to their health and safety identified by the assessment, and the preventive and protective measures;
- Will co-operate and co-ordinate with other employers, where two or more employers share a workplace (whether on a temporary or permanent basis);

- Will ensure that employees are provided with adequate health and safety training when they are recruited to the undertaking, and when they are exposed to new or increased risk. Training will be repeated periodically where appropriate and take place during working hours;

- Will provide any temporary workers with comprehensible information on the qualifications and skills required to carry out work safely, and any health surveillance required;

- Will include an assessment of the risks to the health and safety of a new or expectant mother or to that of her baby. The employer will, if it is reasonable to do so, and it would avoid the risks, alter the working conditions or hours of work of the expectant mother. If it is not reasonable to avoid any such risks, then she must be suspended from work for as long as is necessary;

- Will suspend from work those new or expectant mothers who would normally work at night, but who have a GPs or registered midwifes certificate advising against this. Where a certificate from a registered medical practitioner shows that it is necessary for her health and safety, that she should not be at work for any period identified by the certificate, then she must be suspended from work for as long as is necessary; and

- Will ensure that young persons are protected. Regulation 19 requires every employer to ensure that all employees under 18 years old are protected from any risks to their health and safety, which may result from their lack of experience, awareness of existing or potential risks, or lack of maturity.

Employees:

- Must use any machinery, equipment, dangerous substance, transport equipment, means of production or safety device in accordance with any training and instructions given;

- Must inform the employer (if necessary via their Line Manager or Operations Manager (H&S)) of any situation considered to represent serious and immediate danger, or any matter consider to represent a shortcoming in the organisations protection arrangements for health and safety; and

- Must co-operate and communicate with their employer to allow them to fulfil their statutory duties.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Management of Health and Safety at Work Regulations 1999 (as amended)

Resource(s)
L146: Consulting Workers on Health and Safety. Safety Representatives and Safety Committees Regulations 1977 (as Amended) and Health and Safety (Consultation with Employees) Regulations 1996 (as Amended). Approved Code of Practice and Guidance
HSG 65: Managing for Health and Safety

Further information and guidance is available at www.hse.gov.uk

Lifting Operations and Lifting Equipment

Lifting equipment is defined as work equipment for lifting or lowering loads and includes its attachments used for anchoring, fixing or supporting it. Examples include vehicle tail lifts, hoists, the front end loader on a tractor and forklift trucks.

Lifting accessories are defined as lifting equipment for attaching loads to machinery for lifting. Examples include slings, lifting straps and chains.

Employers:

- Will ensure that work equipment is so constructed or adapted as to be suitable for the purpose for which it is provided, and with regard to the working conditions and the risks to the health and safety of persons in the premises or undertaking in which the equipment is to be used;
- Will ensure that lifting equipment and accessories are of adequate strength and stability for each load, having regard in particular to the stress induced at their mounting or fixing point;
- Will ensure that lifting equipment for lifting persons is suitable to prevent a person using it being crushed, trapped or struck or falling from the carrier, has suitable devices to prevent the risk of a carrier falling and is such that a person trapped in a carrier is not exposed to danger and can be freed;
- Will ensure that lifting equipment is positioned or installed in such a way as to reduce as low as reasonably practicable the risk of the equipment or a load striking a person, or from a load drifting, falling freely or being released unintentionally, and it is otherwise safe;
- Will ensure that there are suitable devices to prevent a person falling down a shaft or hoistway;
- Will ensure that machinery and accessories for lifting loads are clearly marked to indicate their safe working loads;
- Will ensure that work equipment is marked in a clearly visible manner with any markings appropriate for reasons of health and safety;
- Will ensure that every lifting operation involving lifting equipment is properly planned by a competent person, appropriately supervised and carried out in a safe manner;
- Will ensure that before lifting equipment is put into service for the first time that it is thoroughly examined for any defect, unless it has not been used before and is supported by an EC Declaration of Conformity not more than 12 months old, or if it has been obtained from another undertaking and physical evidence is provided that it has been thoroughly examined;
- Will, where the safety of lifting equipment depends on the installation conditions, ensure it is thoroughly examined after installation and before being put into service for the first time, and after assembly and before being put into use at a new site or location;
- Will ensure that lifting equipment which is exposed to conditions causing deterioration which is liable to result in dangerous situations is thoroughly examined at least every 12 months (at least every 6 months in the case of lifting equipment for lifting persons or a lifting accessory), or each time that exceptional circumstances have occurred. Periodic inspections will be carried out between thorough examinations by a competent person to ensure that any deterioration can be detected and remedied in good time;
- Will ensure that defective lifting equipment is not used; and

- Will keep information relevant to all lifting equipment used or available for use, for example, the EC Declaration of Conformity, and every thorough examination and inspection report for up to 2 years.

A person making a thorough examination for an employer:

- Will notify the employer forthwith of any defect in the lifting equipment which it their opinion could become a danger to persons and follow this up with a report in writing; and

- Will, if there is an imminent risk of serious personal injury, send a copy of the above report to the relevant enforcing authority.

Employees:

- Must attend and follow training, information provided, instructions and safe systems of work;

- Must not misuse any equipment provided to them for their safety; and

- Must report any failure of lifting equipment or accessories as soon as it is reasonable to do so.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Lifting Operations and Lifting Equipment Regulations 1998

Resource(s)
L113: Safe Use of Lifting Equipment. Lifting Equipment and Lifting Operations Regulations 1998. Approved Code of Practice and Guidance
L117: Rider-operated Lift Trucks. Operator Training and Safe Use

INDG474: Lifting Equipment at Work

Further information and guidance is available at www.hse.gov.uk

Lone Working

The definition of lone working is an employee who works by themselves without close or direct supervision. Lone working is not in itself against the law and it will often be safe to do so. However, the law requires employers to consider carefully, and then deal with, any health and safety risks for people working alone.

Employers:

- Will assess the risks to lone workers and take steps to avoid or control risks where necessary. Some tasks may be too difficult or dangerous to be carried out unaccompanied, e.g. work in a confined space. In such cases, the employer will arrange assistance;
- Will involve workers when considering potential risks and measures to control them;
- Will take steps to ensure risks are removed where possible, or put in place control measures, e.g. carefully selecting work equipment to the ensure the worker is able to perform the required tasks in safety;
- Will provide suitable and sufficient instruction, training and supervision to control, guide and help, particularly for lone workers faced with uncertain situations, and set limits to what can and cannot be done whilst working alone;
- Will review risk assessments periodically or when there has been a significant change in working practice;
- Will, where a lone worker is working at another employer's workplace, inform that other employer of the risks and control measures;
- Will consider both routine and foreseeable emergencies that may impose additional physical and mental burdens on an individual;
- Will take into account an individuals' medical fitness for lone working; and
- Will establish emergency procedures and ensure lone workers are provided with information and are trained in their implementation, e.g. arrangements for access to first aid facilities.

Employees:

- Must attend and follow training provided, follow safe systems of work, assessments and emergency procedures that are in place;
- Must take reasonable care of themselves and other people who are affected by their work activities; and
- Must co-operate with their employers with regards to lone working requirements.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Health and Safety at Work Etc. Act 1974
Management of Health and Safety at Work Regulations 1999

Resource(s)
INDG73: Protecting Lone Workers: How to Manage the Risks of Working Alone

Further information and guidance is available at www.hse.gov.uk

Manual Handling

The employer has a responsibility to avoid or reduce risks to employees from manual handling operations.

Line Managers:

- Will ensure, in the work areas for which they have responsibility, that manual handling operations are avoided, so far as is reasonably practicable. This may involve ensuring that mechanical handling equipment is available, maintained and used appropriately by those under their control;

- Will ensure, where manual handling operations cannot be avoided, that they have assessed the task and satisfied themselves that the manual handling operation cannot be avoided. This may involve carrying out a risk assessment; and

- Will ensure, for those manual handling operations which remain, that health and safety risks are reduced so far as is reasonably practicable. This may involve introducing job rotation schemes or ensuring that team lifting practices are employed etc. Manual handling training courses are widely available and must also be considered.

Employees:

- Must use the appropriate mechanical handling equipment, where it is available, to avoid the need for manual handling. Any deficiency in the equipment must be reported to their Line Manager;

- Must assist their Line Manager in carrying out manual handling risk assessments detailed above; and

- Must ensure that, for the manual handling tasks which remain, that they are undertaken in accordance with any training and instruction they have received. You must be mindful of your own abilities when lifting and carrying etc., and not put yourself at increased risk.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Manual Handling Operations Regulations 1992 (as amended)

Resource(s)
L23: Manual Handling. Manual Handling Operations Regulations 1992 (as Amended). Guidance on Regulations
HSG60: Upper Limb Disorders in the Workplace
HSG115: Manual Handling 'Solutions You Can Handle'

Further information and guidance is available at www.hse.gov.uk

Monitoring Performance

Monitoring and reporting are important parts of any health and safety management system. Checking that risks are being effectively managed is vital in any organisation.

Employers:

- Will demonstrate commitment to the process;
- Will ensure that systems are in place to report performance upwards, so that management are assured that legal compliance is achieved and maintained;
- Will ensure that systems are in place to report serious incidents upwards immediately;
- Will monitor the design, development, installation and operation of management arrangements by arranging, for example, the routine inspection of premises, plant and equipment, health surveillance (where applicable), and planned function check regimes for key pieces of plant to prevent dangerous situations being realised and/or harm to employees;
- Will monitor the evidence of poor health and safety practice, for example, investigating accidents and incidents and monitoring cases of ill-health and sickness absence records, such that lessons can be learnt and transferred to other parts of the business. It will also be necessary to review, and if necessary revise, risk assessments and associated documents;
- Will provide leadership and management that supports and embraces working towards a positive health and safety culture;
- Will ensure employees are trained and skilled for the work they are expected to undertake;
- Will engage with employees on health and safety matters, their risks posed by their work, and the preventative and protective measures in place; and
- Will access competent health and safety advice, as required.

Employees:

- Must attend training provided by the employer and follow the training that has been provided;
- Must communicate with the employer on matters of health and safety;
- Must advise their Line Manager or Operations Manager (H&S) of any health and safety concerns or defects;
- Must report accidents, incidents and dangerous occurrences/near misses;
- Must follow instructions provided by their employer for their health, safety and welfare; and
- Must ensure their working does not affect the safety of themselves or any person who may be affected by their acts or omission.

The Safety Representatives and Safety Committees Regulations 1977 only apply to those organisations that have recognised trade unions for collective bargaining purposes. The Middle Level Commissioners does not have recognized Trade Unions.

The Health and Safety (Consultation with Employees) Regulations 1996 were introduced to ensure that employees working in organisations without recognised trade unions would still be consulted on health and safety matters. Therefore, at the Middle Level Commissioners, employees will be engaged either on an individual basis, a team basis or through employee representatives on the MLC Employment Committee.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Management of Health and Safety at Work Regulations 1999
Safety Representatives and Safety Committees Regulations 1977
Health and Safety (Consultation with Employees) Regulations 1996

Resource(s)
L146: Consulting Workers on Health and Safety. Safety Representatives and Safety Committees Regulations 1977 (as Amended) and Health and Safety (Consultation with Employees) Regulations 1996 (as Amended). Approved Code of Practice and Guidance
HSG 65: Managing for Health and Safety

Further information and guidance is available at www.hse.gov.uk

Noise

Working in a noisy environment may result in the ill health of employees, including:

- Temporary or permanent damage to hearing, including noise induced hearing loss;
- Fatigue and stress;
- Tinnitus (ringing, whistling, buzzing or humming in the ears), a distressing condition that can lead to disturbed sleep.

All of the above may result in lower than normal performance in the workplace and so in addition to preventing ill health there are real commercial benefits to be obtained from a noise control programme.

The employer has a responsibility to avoid or reduce risks to employees from noise to as low a level as reasonably practicable.

Line Managers:

- Will ensure that all noise hazards within their area of control are identified. In addition they must estimate, and where necessary measure, likely exposure;
- Will identify relevant control measures and record findings in an action plan. The aim is to protect employees by eliminating or reducing risks using good practice and ensuring that no legal limits are exceeded;
- Will provide hearing protection for those at risk (having already given consideration to other means of noise control) as well as providing and managing hearing protection zones;
- Will ensure that noise exposure is monitored and controlled to prevent employees being exposed above statutory Exposure Action Values or Exposure Limit Values.
- Will consult with workers, to provide information, instruction and training about the noise risks, control measures in place, the hearing protection provided and safe working practices;
- Will provide health surveillance (hearing checks) for those at risk and use the results to review controls and further protect individuals;
- Will maintain any noise-control equipment and hearing protection, and ensure that anything supplied is fully and properly used; and
- Will review the arrangements for control of noise at work whenever there is a change to a work practice, a change in noise exposure or new ways are uncovered to reduce risks.

Employees:

- Must co-operate with the arrangements for the control of noise at work, including attending hearing checks;
- Must use the noise control measures provided and report any defects; and
- Must make full and proper use of the hearing protection provided, especially where its use is mandatory.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Control of Noise at Work Regulations 2005

Resource(s)
L108: Controlling Noise at Work. Control of Noise at Work Regulations 2005. Guidance on Regulations

Further information and guidance is available at www.hse.gov.uk

Personal Protective Equipment (PPE)

Personal protective equipment covers all required personal safety equipment which is intended to be worn or held by a person at work which protects against one or more risks to their health and safety, and any addition or accessory designed to meet that objective. This includes clothing affording protection against the weather.

Employers:

- Will ensure that suitable personal protective equipment is provided, free of charge, to employees who may be exposed to a risk to their health and safety while at work except where and to the extent that such risk has been adequately controlled by other means which are equally or more effective;
- Will ensure that where the presence of more than one risk to health or safety makes it necessary for employees to wear or use more than one item of personal protective equipment simultaneously, such equipment is compatible and continues to be effective against the risk or risks in question;
- Will, before providing any personal protective equipment, ensure that an assessment is made to determine that it will be suitable;
- Will ensure that any personal protective equipment provided to employees is maintained (including being replaced or cleaned as appropriate) in an efficient state, in efficient working order and in good repair;
- Will ensure that appropriate accommodation is provided for personal protective equipment when it is not being used;
- Will ensure that employees are provided with such information, instruction and training as is adequate and appropriate to enable them to know the risks which the personal protective will avoid or limit, the purpose and manner in which it is to be used, and any action to be taken by them to ensure that the equipment remains fit for use; and
- Will take reasonable steps to ensure that any personal protective equipment provided is properly used.

Employees:

- Must use any personal protective equipment in accordance both with any training received and instructions given;
- Must take all reasonable steps to ensure that personal protective equipment is returned to the accommodation provided for it after use;
- Must report any loss or obvious defect to their employer immediately; and
- Must not misuse or wilfully damage any personal protective equipment provided for their safety.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Personal Protective Equipment at Work Regulations 1992 (as amended)

Resource(s)

L25: Personal Protective Equipment at Work. Personal Protective Equipment at Work Regulations 1992 (as Amended). Guidance on Regulations
HSG53: Respiratory Protective Equipment at Work
HSG262: Managing Skin Exposure Risks at Work

Further information and guidance is available at www.hse.gov.uk

Plant and Machinery

Plant and machinery are essential to day-to-day operations but present significant risks if not properly selected, operated, maintained, and controlled. Hazards associated with plant and machinery include collision, overturning, entanglement, crushing, ejection of materials, contact with overhead or underground services, and risks to members of the public where work is carried out in shared or accessible environments.

Incidents involving plant and machinery remain a leading cause of fatal and serious injuries reported to the Health and Safety Executive (HSE). Safe use of plant and machinery requires effective planning, competent operators, suitable equipment, and robust systems of inspection, maintenance, and supervision.

Employers:

- Will ensure that all plant and machinery provided for work activities is suitable for the task, the environment and the ground or water conditions in which it is to be used, taking account of loadings, stability, access, weather and proximity to others;
- Will ensure that plant and machinery is only operated by persons who are trained, competent and authorised to do so, including for specific items such as tractors, forklifts, telehandlers, avant loaders, trailers and weed boats;
- Will ensure that suitable and sufficient risk assessments and method statements are in place for plant and machinery operations, including consideration of site-specific hazards, public access, overhead power lines, underground services, slopes, water hazards and environmental conditions;
- Will ensure that all plant and machinery is inspected, serviced and maintained in accordance with the manufacturer's recommendations, statutory requirements and organisational procedures, and that records of inspection, servicing and maintenance are kept and made available as required.
- Will ensure that safe working procedures (SWPs) are developed, implemented and followed for higher-risk plant and machinery, including but not limited to tractor operations and weed boat operations, and that these procedures are communicated to all relevant persons;
- Will ensure that plant and machinery is subject to appropriate pre-use checks, inspections, servicing and planned maintenance in accordance with manufacturer's instructions, statutory requirements and internal procedures, and that defects are promptly reported and rectified;
- Will ensure that lifting operations involving plant and machinery are properly planned, supervised and carried out safely, including the use of suitable attachments, rated lifting points and competent operators;
- Will ensure that adequate control measures are in place to prevent unauthorised access to plant and machinery, including isolation, key control, immobilisation and secure parking where necessary;
- Will ensure that suitable traffic management arrangements are implemented where plant and machinery operate alongside pedestrians, vehicles or members of the public;
- Will ensure that appropriate emergency arrangements are in place for plant and machinery operations, including procedures for overturning, collision, entrapment, fire, spillage, man overboard, or contact with overhead services; and
- Will ensure that information, instruction, training and supervision are provided and refreshed as necessary to maintain safe plant and machinery operations.

Employees:

- Must co-operate with their employer to enable the duties placed on them to be complied with;
- Must only operate plant and machinery for which they are trained, competent and authorised;

- Must carry out pre-use checks in accordance with training and safe working procedures, and must not use plant or machinery that is defective, unsafe or unsuitable;
- Must follow all relevant risk assessments, method statements and Safe Working Procedures when operating or working near plant and machinery; and
- Must report defects, incidents, near misses or unsafe conditions immediately and take plant and machinery out of use where there is a risk to health and safety.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)

Health and Safety at Work etc. Act 1974
Provision and Use of Work Equipment Regulations 1998
Lifting Operations and Lifting Equipment Regulations 1998
Management of Health and Safety at Work Regulations 1999

Resource(s)

L22: Safe Use of Work Equipment – PUWER Approved Code of Practice
INDG229: Using Work Equipment Safely
HSG144: Managing Risks from Vehicle Movement at Work
HSG136: Workplace Transport Safety

Further information and guidance is available at www.hse.gov.uk

Pressure Systems

A pressure system can be defined as:

i. one or more pressure vessels of rigid construction, and any associated pipework and protective devices;
ii. pipework with its protective devices to which a transportable pressure receptacle is, or is intended to be connected; or
iii. a pipeline and its protective devices.

Which contain or are liable to contain a relevant fluid, but does not include a transportable pressure receptacle.

A relevant fluid can be defined as:

i. steam;
ii. any fluid or mixture of fluids which is at a pressure greater than 0.5 bar above atmospheric pressure; or
iii. a gas or mixture of gases, or a liquid which would turn into a gas if system failure occurred. This covers compressed air as well as other compressed gases, i.e. nitrogen, acetylene and oxygen.

The employer/user:

- Will only operate a pressure system, or allow it to be operated, if safe working limits have been established and communicated;
- Will only operate a pressure system, or allow it to be operated, if a written scheme for the periodic inspection of it (its pressure vessels, pipelines and protective devices) has been drawn up by a competent person;
- Will ensure that those parts of a pressure system included in the scheme of examination are examined by a competent person within the intervals specified in the scheme, and before the system is used for the first time;
- Will not operate, or allow the operation of, a pressure system than has failed an examination, unless the repairs, modifications or changes to the established safe operating limits specified in the examination have been completed;
- Will not operate, or allow the operation of, a pressure system after the expiry date of examination, unless a later date is agreed in writing with the competent person;
- Will provide for any person operating the system adequate and suitable instructions for the safe operation of the system and the action to be taken in the event of an emergency;
- Will take reasonable steps to ensure that the system is only operated in accordance with the instructions provided;
- Will ensure that the system is properly maintained in good repair, so as to prevent danger; and
- Will keep records including the last examination by a competent person, any previous reports containing information assessing whether the system is safe to operate, or about any repairs or modifications.

The competent person:

- Will, if they are of the opinion that the pressure system or part of the pressure system being examined will give rise to imminent danger unless certain repairs, modifications or changes to the operating conditions are made, report this is writing to the user. The competent person will send a written report containing the same details to the relevant enforcing authority.

Employees:

- Must follow the information in place to support the safe use of the equipment;
- Must not use the equipment unless they have been instructed, trained, shown how to use it to a level they require to safely use;
- Must attend training/information sessions provided and follow the training/information provided at all times;
- Must not modify the equipment unless they have been authorised by their employer as competent to do so;
- Must not misuse or interfere with the equipment provided; and
- Must report any concerns or defects to their Line Manager immediately.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Pressure Systems Safety Regulations 2000

Resource(s)
L122: Safety of Pressure Systems. Pressure Systems Safety Regulations. Approved Code of Practice
HSG39: Compressed air safety
HSG139: Safe use of compressed gases in welding, flame cutting and allied processes

Further information and guidance is available at www.hse.gov.uk

Safety Signs and Signals

The Health and Safety (Safety Signs and Signals) Regulations 1996 require employers to use a safety sign where there is a significant risk to health and safety that has not been avoided or controlled by the methods required under other relevant law, provided use of a sign can help reduce the risk.

Safety signs are not a substitute for those other methods of controlling risks such as engineering controls and safe systems of work, but may be of importance to reduce any residual risk after other controls have been put into place.

The requirements apply to all workplaces and to all activities where people are employed, but exclude signs used in connection with transport or the supply and marketing of dangerous substances, products and equipment. The Regulations require, where necessary, the use of road traffic signs in workplaces to regulate road traffic.

There are four different types of sign:

Prohibition (Red)

A sign prohibiting behaviour likely to increase or cause danger, for example, 'no access for unauthorised persons'.

Warning (Yellow)

A sign giving warning of a hazard or danger, for example, 'danger electricity'.

Mandatory (Blue)

A sign prescribing specific behaviour, for example, 'eye protection must be worn'.

Emergency / Information (Green)

A sign giving information on emergency exits, first aid, or rescue facilities, for example, 'emergency exit/escape route'.

Hazards should be controlled as far as practicable by other means such as engineering controls, or safe systems of work. However, when this isn't possible:

Employers:

- Will ensure a suitable and sufficient assessment of the risks has been undertaken and that all necessary controls have been identified and put into place;
- Will make certain appropriate information/instruction/training is provided so that all employees understand the safety signs signals, hand instructions, and audible alarms are understood;

- Will maintain safety signs, signals, and alarms so that they work as required, for example, sounding alarms, cleaning signs;
- Will use the correct type of signs as is required;
- Will, where pipes/containers are not obvious as to what they hold/transport, ensure that they are appropriately marked as to the dangerous substance within, for example, mains gas or steam;
- Will identify rooms/enclosures/stores where amounts of dangerous substances or preparations are held, for example, chemical stores or spray stores;
- Will use signs or signals that are appropriate to the environment, for example, an alarm with no ignition source in an explosive atmosphere/environment; and
- Will locate signs in a way so as to not cause confusion, for example, not place too many signs too closely together, or not using an acoustic signal if there is too much ambient noise to hear it.

Employees:

- Must follow any safe systems of work in place;
- Must co-operate with their employer;
- Must not interfere with any signs or signals that are put in place for their health, safety and welfare; and
- Must report to their Line Manager any defective signs as soon as possible.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Health and Safety (Safety Signs and Signals) Regulations 1996

Resource(s)
L64: Health and Safety (Safety Signs and Signals) Regulations 1996. Guidance on Regulations

Further information and guidance is available at www.hse.gov.uk

Stress

The definition of stress is 'the adverse reaction people have to excessive pressures or other types of demand placed on them'. There is a clear distinction between pressure, which can be a motivating factor, and stress, which can occur when this pressure becomes excessive. The pressure that can be withstood can be different for all employees. Anyone working under pressure due to workload, excessive expectations from management or bullying and harassment may be at risk of stress. Whilst it is accepted that pressures outside the workplace can cause stress there is still a duty to ensure that working practices are not exacerbating an existing condition.

Work-related stress is a major cause of occupational ill health, poor productivity and human error. That means increased sickness absence, high staff turnover and poor performance, and a possible increase in accidents due to human error.

The purpose of this policy is to identify who is responsible, and what they must do, in order to minimise any exposure to situations that may result in stress. The employer has a responsibility to reduce the likelihood of stress wherever possible.

Employers:

- Will conduct and implement recommendations of risks assessments within their area of control as required under the Management of Health and Safety at Work Regulation 1999, Regulation 3: employees are required '*to assess the risk of stress-related ill health arising from work activities'*. NB Any individual risk assessments must be held in line with the Data Protection Act and not in the Health and Safety file;

- Will ensure good communication between management and staff, particularly where there are organisational and procedural changes;

- Will ensure that staff are fully trained to enable them to undertake their duties, and that meaningful developmental opportunities are provided where possible;

- Will monitor workloads, working hours and holidays to ensure that people are not overloaded and are taking their full entitlements and ensure that bullying and harassment is not tolerated in the workplace;

- Will attend training as required in good management practice and health and safety; and

- Will have an 'open door policy', be vigilant and offer additional support to a member of staff who is experiencing stress outside work, e.g. bereavement or separation.

Employees:

- Must inform management as soon as practicable if they feel they may be suffering from work-related stress. If non work-related stress is causing upset they must also be encouraged to advise management;

- Must inform their employer if they feel the pressure of the job is putting them or anyone else at risk of ill health, or if they are suffering from a medical condition that appears to be long-term and is affecting ability to carry out day to day tasks, including memory and learning;

- Must co-operate with management in the carrying out of risk assessments, and work with management to agree a realistic and workable solution. This means taking an active part in any opportunities for discussion when the risk assessment is carried out to be involved in any decisions that are made. This may include discussions of any reasonable adjustments that could be made to assist in performing a job. Full consideration and where possible attendance must be given to any counselling or stress management courses the employer suggests; and

- Must ensure they read/listen carefully to all communications from management to make sure any changes are reasons for changes are fully understood.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Health and Safety at Work etc. Act 1974
Management of Health and Safety at Work Regulations 1999

Resource(s)
HSG218: Managing the causes of work related stress

Further information and guidance is available at www.hse.gov.uk

Underground and Overhead Services

Underground and overhead services present significant risks during construction, maintenance, operational and excavation activities. These services may include electricity, gas, water, telecommunications, drainage, oil, chemicals, and other utilities. Contact with or damage to such services can result in serious injury or death, major service disruption, environmental harm, fire, explosion, flooding, and significant damage to property.

Every year the Health and Safety Executive (HSE) reports serious incidents arising from failures to identify, locate, protect, or work safely near underground and overhead services. Striking underground services during excavation remains one of the most common causes of fatal and major injuries in construction and maintenance activities. Contact with overhead services, particularly overhead power lines, can result in fatal electric shock even without direct contact.

The presence of underground and overhead services cannot always be avoided. Working safely in their vicinity is therefore essential and requires effective planning, accurate information, competent supervision, and the implementation of robust safe systems of work.

Employers:

- Will ensure that all underground and overhead services are identified, so far as is reasonably practicable, prior to the commencement of any work that may affect them, including through the use of utility searches, service records, drawings, maps, and site surveys;
- Will ensure that relevant service providers and asset owners are contacted in advance of work to obtain up-to-date information, advice and permissions, and to agree safe systems of work where services are owned or operated by third parties;
- Will ensure that the location, nature and condition of underground and overhead services are verified on site using appropriate detection equipment, trial holes, or other safe methods before intrusive work begins;
- Will ensure that all identified services are clearly and suitably marked, protected and, where necessary, physically guarded on site to prevent accidental damage;
- Will ensure that suitable risk assessments and method statements are prepared and implemented for work carried out on or near underground and overhead services, in accordance with HSG47, GS6 and other relevant guidance;
- Will ensure that excavation and groundworks are properly planned, supervised and carried out using safe digging practices, including the use of appropriate tools and exclusion zones where required;
- Will ensure that plant, equipment and lifting operations are suitably selected, maintained and operated so as to prevent contact with overhead services, including the establishment of minimum approach distances, line markers, goalposts, height restrictors and warning systems where necessary;
- Will ensure that adequate emergency procedures are in place and communicated to all relevant persons, including procedures for dealing with service strikes, gas leaks, electrical contact, flooding or other service-related incidents;
- Will ensure that all persons involved in work on or near underground and overhead services are provided with suitable information, instruction, training, and supervision appropriate to the risks involved; and
- Will not allow any person to carry out work on or near underground or overhead services unless they are competent to do so, or are under the direct supervision of a competent person.

Employees:

- Must co-operate with their employer to enable the duties placed on them to be complied with; and
- Must follow all safe systems of work, risk assessments, method statements and site controls relating to underground and overhead services, and must not interfere with, damage or remove service protection or markings.
- Must follow and apply all relevant training, competencies, and recognised industry guidance in day-to-day operations when working on or near underground and overhead services, including but not limited to GS6 (Avoiding Danger from Overhead Power Lines), HSG47 (Avoiding Danger from Underground Services), and any task-specific or role-specific training provided.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)

Health and Safety at Work etc. Act 1974
Management of Health and Safety at Work Regulations 1999

Resource(s)

HSG47: Avoiding Danger from Underground Services
GS6: Avoiding Danger from Overhead Power Lines
HSG150: Health and Safety in Construction
HSG185: Health and Safety in Excavations

Further information and guidance is available at www.hse.gov.uk

Vibration

Exposure to hand-arm or whole-body vibration at work may result in a number of ill health conditions or injuries. Personnel who are engaged in operations where they may be exposed to hand-arm or whole-body vibration, for example, when using hand held tools or when driving vehicles, as a significant part of their normal work, may be at risk. Employers have a responsibility to avoid or reduce risk associated with vibration at work.

Line Managers:

- Will ensure, in the work areas for which they have responsibility, that hand-arm or whole body vibration is avoided, so far as is reasonably practicable. This may involve ensuring that work equipment is appropriately selected for the intended use, maintained and used appropriately by those in their control;

- Will ensure that exposure to hand-arm vibration and whole-body vibration is controlled so that employees are not exposed above the Exposure Action Values or Exposure Limit Values;

- Will ensure that, for any operation where hand-arm or whole body vibration is likely to lead to exposure, that the work equipment has been selected in order to reduce that risk, so far as is reasonably practicable. For example, when purchasing new work equipment, ensure vibration magnitude is a criterion for selection;

- Will ensure, where vibration exposure cannot be avoided, that they have assessed the task and satisfied themselves that the vibration exposure cannot be avoided. This may involve carrying out a risk assessment; and

- Will ensure, for those vibration exposures that remain, that health and safety risks are reduced so far as is reasonably practicable. This may involve introducing job rotation schemes or health surveillance regimes, and will require that employees are instructed and trained why and how to detect and report signs of injury.

Employees:

- Must use work equipment as they have been shown and instructed to reduce exposure to vibration. Any deficiency in the equipment must be reported to their Line Manager;

- Must assist their Line Manager in carrying out vibration risk assessments detailed above; and

- Must ensure, for vibration exposures that remain, that they are reduced as far as is reasonably practicable in accordance with any training and instruction they have received.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Control of Vibration at Work Regulations 2005

Resource(s)
L140 Hand-arm Vibration: Control of Vibration at Work Regulations. Guidance on Regulations
L141 Whole-body Vibration: Control of Vibration at Work Regulations. Guidance on Regulations
HSG170: Vibration Solutions

Further information and guidance is available at www.hse.gov.uk

Work at Height

The Work at Height Regulations 2005 define working at height as 'work at any place, including a place at or below ground level; obtaining access to or egress from such a place while at work, except by a staircase in a permanent workplace, where, if measures required by these Regulations were not taken, a person could fall a distance liable to cause personal injury'.

The employer/those in control of any work at height activity have a responsibility to avoid work at height wherever possible, e.g. a window cleaner using a pole system rather than a ladder.

However, where work at height cannot be avoided, they:

- Will ensure that work at height is properly planned, appropriately supervised and so far as is reasonably practicable carried out in a way that is safe;
- Will ensure work at height activities are considered, and suitable and sufficient assessments of the risks are undertaken;
- Will ensure that employees who are required to work at height are competent to do so, or if being trained, are being supervised by a competent person;
- Will ensure suitable and sufficient measures are in place to prevent so far as is reasonably practicable any person falling a distance liable to cause personal injury;
- Will select the most appropriate work at height equipment for the task, giving priority to collective protection over personal protection measures;
- Will prevent work on/near fragile surfaces or, where this is not reasonably practicable, ensure a suitable support and protection system is used;
- Will take sufficient steps to prevent so far as is reasonably practicable the fall of any article or object;
- Will restrict access to danger areas, where there is a risk of falls or being hit by a falling object;
- Will ensure that work at height is planned and carried out only when weather conditions are suitable and do not present a risk to the health and safety of persons involved;
- Will ensure that, where the safety of work equipment depends on correct installation or assembly, it is not used until it has been inspected;
- Will ensure that work equipment exposed to conditions causing deterioration which is liable to result in danger is inspected at suitable intervals and each time exceptional circumstances have occurred;
- Will ensure that a working platform used for construction work and from which a person could fall 2 metres or more, is not used unless it has been inspected in that position, or in the case of mobile work equipment on that site, within the previous 7 days; and
- Will ensure that the results of inspections are recorded and kept until a next one is made.

Employees:

- Must report any unsafe activity or defect relating to working at height;
- Must use any work equipment or safety device provided for working at height as they have been shown or instructed;

- Must follow any training that has been provided; and
- Must follow any safe systems of work and/or method statements that are in place, including any requirements or prohibitions imposed.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Work at Height Regulations 2005

Resource(s)
HSG33: Health and safety in roof work
INDG401: Working at Height: A Brief Guide
LA455: Safe Use of Ladders and Stepladders – a brief guide

Further information and guidance is available at www.hse.gov.uk

Work Equipment

The definition of work equipment is any machinery, appliance, apparatus, tool or installation for use at work (whether exclusively or not). This includes equipment which employees provide for their own use at work. The use of work equipment is also very widely interpreted and means any activity involving work equipment and including starting, stopping, programming, setting, transporting, repairing, modifying, maintaining, servicing and cleaning.

The definition of mobile work equipment is any work equipment which carries out work while it is travelling or which travels between different locations where it is used to carry out work. It may be self-propelled, towed or remote controlled and may incorporate attachments, e.g. a tractor, forklift truck, van, etc.

The employer/those in control of work premises have a responsibility to ensure that work equipment, including mobile work equipment, is suitable and sufficient for the task it is being used.

Employers:

- Will ensure that work equipment is so constructed or adapted as to be suitable for the purpose for which it is used or provided, having regard to the working conditions, and to the risks to the health and safety of persons, which exist in the place it is used;
- Will ensure that work equipment is only used for operations, and under conditions, for which it is suitable;
- Will ensure that work equipment is maintained in an efficient state, in efficient working order and good repair. Where machinery has a maintenance log, this will be kept up to date;
- Will ensure that, where the safety of work equipment depends on the installation conditions, it is inspected after installation (each time if able to be relocated) to ensure it is safe to operate;
- Will ensure that work equipment exposed to conditions that may cause deterioration is inspected at appropriate intervals and following any exceptional circumstances that could affect safety;
- Will ensure that inspection records are made and recorded and are kept until the next one is made;
- Will, where the use, repair or maintenance of work equipment is likely to involve a specific risk to health or safety, ensure that the use, repair or maintenance of that work equipment is restricted to those persons given the respective task. The employer will ensure those designated persons have received adequate training;
- Will ensure that all persons who use, Supervise or Manage, work equipment have available to them adequate health and safety information and, where appropriate, written instructions pertaining to the use of the work equipment;
- Will ensure that all persons who use, Supervise or Manage, work equipment have received adequate training for purposes of health and safety, e.g. the risks of use and precautions to be taken;
- Will ensure that an item of work equipment has been designed and constructed in compliance with any essential requirements, e.g. is CE Marked and has appropriate warning labels attached;
- Will ensure that measures are taken which are effective to prevent access to any dangerous part of machinery, or stop the movement of any dangerous part before any person enters a danger zone. The hierarchy of measures follows:

  - Fixed guards;
  - Other guards and protection devices;
  - Automation;
  - Jigs, holders, lush-sticks or similar protection appliances; then
  - Information, instruction, training and supervision.

- Will ensure guards and protection devices:

  - Are suitable for the purpose provided;
  - Of good construction, sound materials and adequate strength;
  - Are maintained in an efficient state, in efficient working order and good repair;
  - Will not give rise to an increased risk to health and safety;
  - Cannot be easily bypassed or disabled;
  - Are situated a sufficient distance from the danger zone;
  - Do not restrict the view of the operating cycle of the machinery, where such a view is necessary; and
  - Are so constructed or adapted that they allow the fitting or replacement of part, or maintenance work, restricting access to the allowed area, without having to dismantle the guard or protection device.

- Will take measures to ensure that the exposure of a person using work equipment to any specified hazard is either prevented, or where this is not reasonably practicable, adequately controlled. Specified hazards include:

  - An article or substance falling or being ejected from work equipment;
  - Rupture or disintegration of parts of work equipment;
  - Work equipment catching fire or overheating;
  - The unintended or premature discharge of any article or substance produced, used or stored in the work equipment; or
  - The unintended or premature explosion of the work equipment or any article or substance.

- Will ensure that protection is in place where work equipment, parts of work equipment or any article or substance produced, used or stored is at a high or very low temperature;

- Will ensure that, where appropriate, work equipment is provided with one or more controls to start the work equipment, or control any change in speed, pressure or other operating conditions;

- Will ensure that, where appropriate, work equipment is provided with one or more readily accessible stop controls, the operation of which, will bring the work equipment to a safe condition in a safe manner;

- Will ensure that, where appropriate, work equipment is provided with one or more readily accessible emergency stop controls, unless it is not necessary by reason on the nature of the hazards and the time taken for the work equipment to come to a complete stop;

- Will ensure that all controls for work equipment are clearly visible and identifiable, including by appropriate marking where necessary;

- Will, except where necessary, ensure that no control for work equipment is in a position where any person operating the control is exposed to risk, and that safe systems of work and/or audible, visible or other suitable warning is given whenever work equipment is about to start;

- Will ensure that, where appropriate, work equipment is provided with suitable means to isolate it from all its sources of emergency. Appropriate measures also ensure that re-connection of any energy does not expose any person using the work equipment to danger;

- Will ensure that work equipment is stabilised by clamping or otherwise where necessary for purposes of health and safety;

- Will ensure that suitable and sufficient lighting, which takes account of the operations to be carried out, is provided at any place where a person uses work equipment;

- Will take appropriate measures to ensure that work equipment is constructed or adapted that, so far as is reasonably practicable, maintenance operations which involve a risk to health and safety can be carried out while the work equipment is shut down, or in other cases without exposing person to danger; and

- Will ensure that work equipment is marked in a clearly visible manner with any marking, and incorporates any warnings or warning devices, appropriate for reasons of health and safety.

Specifically for mobile work equipment, employers:

- Will ensure that no employee is carried by mobile work equipment unless it is suitable for carrying persons and it incorporates features for reducing risks to as low as reasonably practicable;

- Will ensure the risk of roll over is minimised and, where there is a risk of overturning, ensure any person being carried are protected, for example, by providing a roll over protective structure and enforcing the use of seatbelts;

- Will ensure self-propelled equipment has facilities for preventing it being started by an unauthorised person, can be controlled safely with braking and stopping devices, adequate driver vision and where necessary adequate lighting; and

- Will ensure adequate guards are attached to drive shafts that power accessories for mobile work equipment.

Further Regulations exist specific to power presses.

Employees:

- Must follow safe systems of work and any other instructions, or training provided to them;

- Must report as soon as is possible any damaged equipment, and take it out of use until it is repaired or replaced; and

- Must not misuse any work equipment.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Provision and Use of Work Equipment Regulations 1998

Resource(s)
L22: Safe Use of Work Equipment. Provision and Use of Work Equipment Regulations 1998. Approved Code of Practice and Guidance
L112: Safe Use of Power Presses. Provision and Use of Work Equipment Regulations 1998 as Applied to Power Presses. Approved Code of Practice and Guidance
L114: Safe Use of Woodworking Machinery. Provision and Use of Work Equipment Regulations 1998 as Applied to Woodworking Machinery. Approved Code of Practice and Guidance
INDG229: Using Work Equipment Safely: A Brief Guide.
INDG291: Providing and Using Work Equipment Safely: A Brief Guide.

Further information and guidance is available at www.hse.gov.uk

Working On or Near Water

Working on or near water presents significant risks, including drowning, immersion, slips and falls, entanglement, contact with moving plant or vessels, cold shock, waterborne disease, and the effects of weather, tides, flow rates and changing water levels. These risks may be increased where work is carried out from boats, pontoons, banks, or in remote locations.

Incidents involving work near water frequently result in serious injury or fatality. Effective control of these risks requires careful planning, suitable equipment, competent personnel through adequate training, and the implementation of robust safe systems of work.

Employers:

- Will ensure that all activities carried out on or near water are suitably risk assessed and planned before work commences, taking account of water depth, flow, access and egress, weather conditions, tides (where applicable), public access, and emergency arrangements;
- Will ensure that appropriate Safe Working Procedures are in place, implemented and followed for water-based activities, including the operation of weed boats and associated towing activities, and that these procedures are communicated to all relevant persons;
- Will ensure that only trained, competent and authorised persons undertake work on or near water, including the operation of boats, water-based plant and associated equipment;
- Will ensure that suitable and sufficient personal protective equipment is provided and worn, including life jackets or buoyancy aids where there is a foreseeable risk of falling into water;
- Will ensure that plant, vessels and equipment used on or near water are suitable for the task and conditions, are properly inspected, maintained and operated in accordance with manufacturer's instructions and organisational procedures;
- Will ensure that adequate measures are in place to prevent falls into water, including the use of edge protection, safe access points, controlled working areas, and exclusion zones where necessary;
- Will ensure that lone working near water is avoided where reasonably practicable and, where it cannot be avoided, that suitable lone-working controls are in place, including communication systems, monitoring arrangements and emergency procedures;
- Will ensure that appropriate emergency and rescue arrangements are established, communicated and tested where necessary, including man-overboard procedures, access to life-saving equipment, and arrangements for summoning emergency services; and
- Will ensure that information, instruction, training, and supervision are provided to enable work on or near water to be carried out safely.

Employees:

- Must co-operate with their employer to enable the duties placed on them to be complied with;
- Must follow all risk assessments, method statements and safe working procedures relating to work on or near water, including weed boat activities;
- Must wear life jackets, buoyancy aids and other PPE as instructed and must not interfere with or misuse safety or rescue equipment;
- Must carry out dynamic risk assessments and stop work immediately if conditions become unsafe, including due to weather, water conditions, equipment failure or public encroachment; and
- Must report any incidents, near misses, defects or unsafe conditions immediately.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)

Health and Safety at Work etc. Act 1974
Management of Health and Safety at Work Regulations 1999

Resource(s)

INDG364: Working Near Water
HSG136: Workplace Transport Safety (where vessels and plant interface)
L22: Safe Use of Work Equipment

Further information and guidance is available at www.hse.gov.uk

Working Time

The Working Time Regulations 1998 implement the European Working Time Directive into British law. Enforcement of the legislation is split between the Arbitration, Conciliation and Advisory Service (ACAS) and the Health and Safety Executive (HSE). ACAS usually advise on time off, rest break entitlements, paid annual leave entitlements, whereas the HSE advise on maximum weekly working time limit, night working limits, and health assessments for night workers.

To ensure the health, safety and welfare of their employees the employer has a responsibility to ensure that the following points are complied with.

Maximum Weekly Working Time limits

- An adult workers working time, including overtime, shall not exceed an average of 48 hours for each 7 days (an average is calculated over a 17-week period). A young workers working time must not exceed 8 hours a day and 40 hours in a 7 day period (normally Monday to Sunday). A young worker is a 16 or 17 year old;

- If an adult worker may be required to work in excess of 48 hours per week at any time, we will draw up and ask them to sign an individual opt out agreement. https://www.gov.uk/maximum-weekly-working-hours/weekly-maximum-working-hours-and-opting-out. This is particularly relevant for the workforce and incident response requirements. Young workers cannot sign individual agreements; and

Night Working

- We have no employees who fit the definition of a night worker, ie are expected to regularly work at least 3 hours during the period 11pm – 6am. We have employees who may need to undertake an occasional night shift for incident response.

Daily Rest

- An adult worker is entitled to a rest period of not less than 11 consecutive hours in each 24 hour period; and

- A young worker is entitled to 12 consecutive hours rest in each 24 hour period.

Weekly Rest

- An adult worker is entitled to an uninterrupted rest period of not less than 24 hours in each 7 day period; and

- A young worker is entitled to not less that 48 hours uninterrupted rest in each 7 day period.

Rest Breaks

- Where an adult worker's daily working time is more than six hours, he is entitled to a rest break of 20 minutes; and

- Where a young worker's daily working time is more than 4½ hours, he is entitled to a rest break of 30 minutes.

Annual Leave

- The statutory holiday entitlement is 5.6 weeks (28 days if you work a five day week, pro-rota for those working part-time); and

- The holiday entitlement is inclusive of bank holidays.

Employers should have a disciplinary/grievance procedure in place. Whereby any employee who has any queries, or concerns should seek redress through the procedure prior to going to an Employment Tribunal.

Employees:

- Must follow all policies and procedures in place;
- Must apply for any leave as per the procedure in place at your work, and be aware that any leave booked that is outside the scope of the procedure could be rejected by your employer; and
- Must give sufficient notice in writing of any request for working changes, for example, consideration for flexible working.

See Section 2 – Organisation, for Management Structure and Responsibilities.

Reference(s)
Working Time Regulations 1998

Resource(s)
HSG256: Managing shift work. Health and safety guidance

Further information and guidance is available at www.hse.gov.uk and www.acas.org.uk

Workplace (Health, Safety and Welfare)

The Workplace (Health, Safety and Welfare) Regulations 1992 apply to almost all workplaces (except those involving construction work on construction sites, those in or on a ship, or those below ground level, e.g., a mine, which have their own specific Regulations). The Regulations include common parts of shared buildings such as industrial estates where there are shared office facilities.

Employers and people other than employers have a duty under these Regulations, if they have control, to any extent, of a workplace, for example, owners of premises, landlords or managing agents of business premises. People other than employees have limited duties to matters which are within their control.

The employer (and people other than employers where relevant) have a responsibility to keep the workplace in a suitable manner for the health, safety and welfare of employees.

Employers:

- Will encourage collaboration with employees to help maintain health and safety in a practical way;
- Will ensure buildings and structures are capable of supporting all foreseeable loads, including environmental loads such as wind and snow. This includes modifications, extensions or conversions;
- Will maintain workplace equipment, devices and systems so that they remain in an efficient state, in efficient working order and in a good state of repair, e.g. emergency lighting, fencing, anchorage points for safety harnesses, devices to limit the opening of windows;
- Will ensure there is effective and suitable ventilation at the workplace. This can be via fresh or purified air;
- Will ensure that there is a reasonable workplace temperature inside the building. This should be at least 16°C, or 13°C if working in a physically demanding job. This is the case unless there is a requirement for lower working temperatures, such as working in a cold store;
- Will ensure that every workplace has suitable and sufficient lighting. Where possible this is with natural lighting. Suitable and sufficient emergency lighting will be provided particularly where those at work are specifically exposed to danger in the event of failure of artificial lighting;
- Will ensure that the workplace is designed and built with materials that are able to be cleaned, and the workplace will be kept clean, so far as is reasonably practicable;
- Will ensure that there are suitable and sufficient waste receptacles, and any waste is appropriately disposed of;
- Will ensure that where persons work, the room shall have sufficient floor area, height and unoccupied space for allowing freedom of movement;
- Will ensure that workstations are laid out to ensure appropriate room for working. Suitable seating will be provided at the workplace where the task requires it and possible to do so;
- Will ensure that all floors, traffic routes are of suitable construction such that the floor or surface of the traffic route is suitable for the purpose for which it is used. So far as is reasonably practicable floors and traffic routes will be kept free from obstruction and any particular/substance which may cause a person to slip, trip or fall;

- Will ensure where there are tanks, pits, or structures that pose a risk from falling into a dangerous substance (e.g. grain silo), they are securely covered or fenced;

- Will ensure that windows/translucent/transparent doors, gates and walls are protected against breakage, and to ensure it is apparent. Where glass has the potential to break, it must break safely;

- Will ensure that any windows, skylights, and ventilators that can be opened, closed or adjusted will not cause risk to health and safety. Such windows, skylights should be able to be cleaned in a safe manner. Such as by use of a pole cleaner, or a window that turns 180^0 to enable the outside to be cleaned from the inside;

- Will ensure that vehicles and pedestrians and their traffic routes are safely managed;

- Will ensure that doors and gates are suitably constructed and fitted with any necessary safety devices;

- Will ensure that escalators and moving walkways function safely, are fitted with necessary safety devices, and have at least one, easily identifiable, easily reachable emergency stop;

- Will ensure that there are suitable and sufficient sanitary conveniences provide;

- Will ensure that there are, where required by the nature of the work, for health reasons, readily accessible washing facilities;

- Will ensure there is an adequate supply of wholesome drinking water provided for all persons in the workplace;

- Will ensure the provision of suitable and sufficient clothing accommodation for personal protective equipment or for personal clothing and articles whereby there is a requirement for changing. The clothing accommodation will be provided in a suitable location;

- Will ensure that where required there will be suitable and sufficient area to change such clothing; and

- Will ensure that suitable and sufficient rest facilities, including a clean area to eat meals, are provided as required in readily accessible places.

Employees:

- Must follow the instructions provided by their employer regarding their health, safety and welfare;

- Must not misuse or interfere with any equipment or items that have been provided for their health and safety by their employer; and

- Must report to their employer any damage, deterioration of defects in relation to workplace health, safety and welfare.

See Section 2 – Organisation, for Management Structure and Responsibilities.
See Section 6 and 7 – Risk Assessments and Safe Systems of Work/Method Statements.

Reference(s)
Workplace (Health, Safety and Welfare) Regulations 1992

Resource(s)
L24: Workplace (Health, Safety and Welfare) Regulations 1992. Approved Code of Practice and Guidance

Further information and guidance is available at www.hse.gov.uk