

Wilkins Safety Group

Weekly Update Newsletter



Welcome to this issue - Friday 25th March 2011 - of our Update Newsletter

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Working at height in 2011



Safe Working at Height

It has been a little while since we first published an article about working at height, actually it was in 2005 (*see article below in blue italics*). The sad fact is that it still accounts for a large number of fatalities and serious injuries in the workplace.

Working at Height [From Newsletter October 2005]

April of this year [2005] saw the introduction of revised health and safety regulations for working at height. The aim of the revision is to consolidate previous legislation as well as to implement a European Council Directive concerning the use of equipment when working at height.

As a general principle, the revised regulations apply to most work situations where people are required to work at height. They do not apply, however, to most recreational activities such as climbing or caving.

One of the most discussed items that changed with the introduction of the revised regulations is that the 'two metre' rule has been dropped. This stated that the original Work at Height regulations applied to any work that was carried out at two metres or more above ground level. Effectively, two metres was the definition of working at height.

This has now changed such that work at height is defined as working at a place from which a person could be injured by falling from it, regardless of whether it is above, at or below ground level. The reason for the change is that, from past experience, there have been more injuries from low level falls (i.e. less than 2 metres) than from high level falls. Consequently, organisations must now take precautions under the new regulations, regardless of the height.

The Problem

Whilst faulty equipment is responsible for some accidents arising from working at height, experience shows us that this is not the major cause. It would seem that most accidents occur as a result of poor management control, which includes such failures as:

- Not recognising that a problem exists before it results in an accident
- Not designing and enforcing safe systems of work
- Not providing adequate information, instruction or training
- Poor supervision
- Not providing appropriate equipment or not using the right equipment for the job

Taking Precautions

When it comes to taking precautions to avoid accidents, the HSE proposes a simple hierarchy of measures, namely:

- If possible, organise the work to avoid the need to work at height
- If working at height cannot be avoided, implement measures to prevent falls
- If falls cannot be prevented, employ equipment and measures to minimise the height and the consequences of a fall, should it happen.

The new regulations lay down specific responsibilities for the employer and the employee:

Employers' Responsibilities

As with all health and safety, when working at height, safety begins with the employer, who is expected to do all that is reasonably practicable to avoid accidents and minimise the adverse consequences of any accidents that do occur. This requirement implies that Risk Assessments have been carried out in accordance with the Management of Health and Safety at Work Regulations.

Doing what is reasonably practicable includes such actions as:

- Planning the work properly
- Taking account of prevailing conditions such as poor weather.
- Providing a safe place to work, which includes taking additional precautions where there are fragile surfaces to contend with.
- Ensuring employees are properly trained and are competent to carry out the work safely
- Conducting adequate inspections of workplaces, equipment, means of access, etc
- Eliminating any risk of injuries as a result of falling objects
- In addition, the employer should maintain adequate records of risk assessments, inspections, precautions that have been put in place and, of course, any accidents or incidents that occur in spite of everyone's best efforts.

There's a range of schedules attached to the regulations that provide guidance on the requirements that apply to each aspect of working at height such as fall prevention, working platforms and use of ladders.

In some cases, employers may be able to apply for exemptions to aspects of the regulations if it can be shown that strict adherence would prevent the work from being done or might result in other types of risk. However, if such exemptions are granted, it will only be on the basis that additional precautions have been implemented that are sufficient to compensate for the exemption.

Employees' Responsibilities

Not all the responsibilities lie with the employer. Employees must also take care of their own health and safety and that of their colleagues.

In particular, every employee must, by law, report any health and safety hazards that they identify in regard to working at height. Merely ignoring a hazard and "hoping for the best" is not an option. Employees must also make proper use of all equipment that is provided for their safety.

Finally employees must follow the training and instruction they have received unless the circumstances would render it unsafe to do so. When this appears to be the case, the employee must report the fact and seek further instruction before continuing with the work.

Conclusion

It is probably true to say that very little change is needed for any employer who has managed work at height in a responsible manner in the past. However, based on the accident figures, it seems that there are still too many instances where the standard of management leaves much to be desired.

If you are responsible for a site and you are unsure whether or not you comply with the law, you need to conduct a comprehensive risk assessment as a matter of priority.

When we last wrote about this topic, the regulations had just been changed to consolidate previous legislation and during the intervening time there have been further extensions of the regulations to cover situations such as recreational activities like caving or rock climbing. Whilst much work at height is associated with the Construction industry, it is not exclusively so. A few obvious examples of other industries are Telecommunications, Power, Engineering and Freight, to name but a few.

If you are responsible for other people working at height or you are self-employed, you need to be aware of your legal duties that are designed to ensure the safest practicable working environment.

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Now to what is happening in the year 2011.

Work at height has always been hazardous and in spite of everything that has been done over recent decades to improve this record, it is still a major cause of death and serious injury in the workplace.

With the introduction of new Work at Height Regulations in 2005, the definition of the term "Work at height" was changed to mean any place from which a worker could injure themselves from falling - even if the workplace is at or below ground level.



A couple of recent cases in the media highlight the issues around working at height:

- In one incident, a worker was standing on the roof of a house without any form of scaffolding, edge protection or other safety equipment. The person was using a

power washer to clean the roof, creating a particularly hazardous surface. The man's employer was prosecuted and had to pay more than £17,000 in fines and costs.

More information about this case is available at www.hse.gov.uk/press/2011/coi-nw-84mdroofcoatings.htm



- In another case, a member of the public was seriously injured by scaffolding that collapsed on top of her because it was not properly secured to the building where it was being used. Part way through the work, the scaffolding had been lowered in height but no inspection carried out to ensure it was still secure. This was in contravention of the Work at Height Regulations. Both the scaffolding company and the construction company were found guilty and between them paid £19,000 in costs and fines.

More information about this case is available at www.hse.gov.uk/press/2011/coi-ne-04211.htm

Who is Responsible?

The Work at Height Regulations define duties that apply to employers and to anyone else who controls the work of people who are working at height including, for example, the owners of buildings where work is being carried out.

Employees are also responsible for their own health and safety and, under the Work at Height Regulations, they have a specific duty to use safety equipment correctly and to report any safety issues that they notice.

How are You Required to Discharge these Duties?

Work at height needs to be properly managed. The risks are far too high and the history of accidents is too grim for a careless attitude.

The overriding priority is to do everything that is reasonably practicable to avoid someone falling and injuring themselves. Consequently, if possible, the job should be planned to avoid the need for working at height. If this is not practicable then everything should be done to minimise the risks, including:

- **Training**

First of all everyone who is required to work at height must be trained and competent to do so in a safe manner. If not yet fully competent then they must be supervised by someone who is. Training must cover the risks, the safety precautions and how to avoid or minimise injury.

- **Planning**

Risk assessments should be carried out and the work planned so that it can be undertaken safely. Planning includes an appropriate level of supervision and the procedures to follow should an emergency arise.

If the work is outdoors, planning must also take account of the weather, including the possibility of interrupting work should weather conditions be such as to endanger health and safety.

- **Safe Place of Work**

Use work equipment and safety procedures that are designed to prevent anyone falling. When selecting equipment, take account of the nature of the work and the working conditions. All safety equipment must be inspected by a competent person before work begins and at regular intervals during the project to ensure there is no deterioration. It is also important to manage the risk of people being injured from items of equipment falling from above. Safety precautions must take account of everyone who may be present on site as well as those who are actually working at height.

- **Individual Safety**

If it is not practicable by general safety precautions to eliminate the risk of a fall, other measures should be put in place to minimise the consequences should there be a fall. There's a wide range of equipment that can be used for this purpose including, for example, nets, airbags and fall arrest systems.

- **Fragile Surfaces**

Fragile surfaces, such as glass roofs, skylights or old brittle roofing materials are a particular hazard for the unwary. Whenever practicable, avoid anyone going onto or even near a fragile surface and ensure everyone is aware of the dangers by posting prominent notices, for example.

- If work on a fragile surface is unavoidable, then additional precautions should be put in place to minimise the specific risks associated with the work.

Additional Help

Whilst the general advice in this newsletter applies to all situations where people are required to work at height, the variety of circumstances is such that there are always risks that are specific to each workplace.

If you are responsible for people working at height but you are not confident that you have all necessary precautions in place, then give us a call to discuss your situation with one of our consultants. Tel: 01458 253682 or drop an email to jon@jonwilkins.co.uk

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If you would like to discuss any of the issues highlighted in this newsletter, then drop an email to Jon on jon@jonwilkins.co.uk or call the office 01458 253682



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Your Business is Safer in Our Hands