

Working at height - how to avoid financial & reputational implications

- Falls from height were the most common cause of fatalities, accounting for nearly three in ten (29%) fatal injuries to workers (reported to RIDDOR enforcing authorities in 2013/14p) <http://www.hse.gov.uk/statistics/causinj/slips-trips-and-falls.pdf>

Work at height practices are common place for many workers and organisations in the UK. Considerable responsibility comes with managing such work practices however both the employer and employee has their own general duty of care as detailed in the Health and Safety at Work Etc. Act 1974. More specifically, particular requirements are made within the Work at Height Regulations 2005 which must be adhered to when undertaking this type of work.

Recently the Health and Safety Executive (HSE) prosecuted an organisation following a fall. An engineer was attempting to access an electrical control within a ceiling panel at the time of the fall and sustained significant injuries. This qualifies as a reportable accident under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013) and in turn prompted the HSE to investigate. At this stage in the process, any organisation finding itself the subject of an HSE investigation would not only incur time losses for key management and supervisory employees due to their obligation to assist the investigator as well as generally affecting overall production within the organisation, but would also be liable under the FFI scheme whereby the HSE can recover the costs of any investigation and subsequent action.

The findings of the investigation were reported at Magistrates' Court where it was found that the organisation in question did not have a suitable Risk Assessment in place for undertaking working at height on site.

Work at height requires a risk based approach:

- Identify and evaluate the risks
- Determine who is at risk
- Take steps to remove/reduce risk
- Manage the residual risk through methods such as Personal Protective Equipment (PPE), Permit to Work systems for access and/or use of harness/latch way systems.
- Review your findings

This approach, required by the Work at Height Regulations 2005 found the organisation to be in breach of legislation. The organisation however was not prosecuted based on having no Risk Assessment, they were prosecuted for not having a suitable Risk Assessment in place for working at height. The Risk Assessment required to be written by a competent person should be task and site specific. Many organisations use generic Risk Assessments for tasks such as work at height and this case indicates the consequences of complacency when managing hazardous work- the organisation pleaded guilty and was fined thousands of pounds.

A key aspect of this case, post the prosecution is that the electrical control panel where access was attempted was then subsequently relocated to a ground floor location to enable safe access in future. A suitable Risk Assessment process would have highlighted the difficulties in accessing the control panel due to its height and placement on a fragile roof area. Introducing a subsequent inspection and audit regime would enable any necessary changes to be made to the organisations systems or updates added to the processes in place.

This responsible approach is an indicator of how Health and Safety is an organisational business driver and can positively contribute to overall management as opposed to being considered a secondary priority. By not adopting such a process, the organisation has been forced to manage this issue reactively which has resulted in a prosecution and financial loss; staff costs, legal costs, higher insurance fees as well as reputational and staff morale issues.

At Ark Workplace Risk Limited, we can contribute to your business by providing competent advice based on practical solutions and extensive experience – all with the focus of improving your management processes and protecting your organisation.