

## Focus on...

- Risk Assessment -

Risk assessments, they seem to be seen as the bane of most business owners, but they don't have to be, all you need to do is consider your work activities.

I have delivered many health and safety courses throughout my career and simply by mentioning those two dreaded words, I have seen people visibly switch off and slump in their chairs!

It may therefore help, if we turn them around and call them assessments of risk.

We all assess risks on a daily basis, often without much conscious thought, the simplest analogy to use is crossing a busy road. The only real difference to a workplace assessment is that *sometimes* we are required to record them (see below).

It's a simple way of minimising the risk of harm to health or injury or, damage to property or the environment, presented by your work activities or areas of work, by identifying hazards (*something with the potential to cause harm i.e. chemicals or other substances - lifting or carrying etc.*), assessing the risks associated to those hazards (looking at the likelihood and severity posed from those hazards) and then considering existing (and where appropriate additional) management controls to minimise the risk, it really is that simple!

### Why assess in the first place?

Whilst the Health and Safety at Work etc. Act 1974 only implies the need to assess risks (*section 2*), the Management of Health and Safety at Work Regulations 1992 (MHSWR regulation 3) explicitly requires assessments to take place, and where a risk is considered anything more than insignificant, it should also be recorded and regularly reviewed (*see below*) as a live document.

Other more specific assessments – Fire / Noise / Display Screen Equipment / First Aid / Manual Handling / COSHH etc. are also required by their associated regulations (*see further reading below*). It is therefore, an absolute legal requirement to assess risks for work activities. How else could you realistically and effectively manage safety in your business?

### NB

Where a specific regulation requires a specific assessment to be undertaken (*see further reading*) it is not necessary to duplicate on a general assessment. Whilst generic

assessments are acceptable caution must be used to ensure that all details apply (*i.e. the same task being undertaken at a different site where no additional risks are present*).

To assess or not to assess? The guidance to MHSWR states that insignificant and everyday risks may not have to be recorded so, to better understand the question, **ordinarily\*** you do not have to record the findings (though you should still consider the risks) of an activity or area if, it involves something that can be seen to be an everyday occurrence presenting an insignificant risk.

For example, using welfare facilities or stairs, or opening doors.

As a point in case, I recently successfully defended a civil action against an employer (a branch of the Ministry of Justice), where an individual had slipped over and fractured a wrist due to a fall, as they exited a shower cubicle at work.

It was claimed that a risk assessment had not been recorded for using the individual shower cubicle, and therefore the employer was in direct breach of the MHSWR. I argued that use of a shower was an everyday occurrence presenting minimal risk to users, and due to no previous reports of an accident using this facility, it was deemed insignificant and did not require a written assessment. The judge ultimately agreed with me and threw the case out.

\* I would just add a slight word of caution here... if actions such as those above are deemed everyday and insignificant, consideration must also be given to the layout, make up, and environment of the activity / area.

Looking at stairs for example, they may be made in a way that could cause small heels to become trapped which may lead to a fall, or situated in an outside environment (*i.e.* fire escape) and become slippery when wet, they may also be dimly lit presenting further risks to users and therefore require a written assessment.

### **How to assess.**

This needn't be complicated or overly burdensome, the Health and Safety Executive have produced a simple guide to this in their free leaflet 'Five steps to risk assessment' or INDG 163 (rev 2), which includes a basic template.

The leaflet lists the following steps when assessing work based risks;

1. Identify the hazards in your work activities / workplace
2. Decide who might be harmed and how
3. Evaluate the risks and decide on precautions to be taken
4. Record the findings and implement any actions
5. Review and update as necessary

Larger organisations or those presenting higher risk activities (warehousing operations / manufacturing / engineering / construction / demolition etc.),

understandably have more complex assessments, but the above model should be suitable for most straight forward work activities.

For more detailed information on this process including the cost Vs risk element, and the hierarchy of controls to be used, contact Prosper Health and Safety Solutions.

Often overlooked areas for assessment include;

Driving for business purposes - consider driver competence / vehicle roadworthiness / time and distance spent driving / insurance requirements etc - but excluding travelling to and from your normal place of work.

Fire - including means of escape / flammable materials / extinguishers / assembly points etc.

Use of display screen equipment - for those using a PC or other type of display screen for their day to day work activities, including the ergonomics of the workstation layout.

Manual handling - pushing / pulling lifting / carrying etc. (see series 1 Jun 09 *Focus on... manual handling*)

Stress and new or expectant mothers.

Don't forget to involve those actually doing the work, when putting the assessment together, along with someone in a position of authority (and competence), and share any management controls required with all who may be affected including visitors / contractors / members of the public etc.

## **Review**

Once completed these records should not simply be filed away as 'dead' documents, they are very much alive and need to be reviewed periodically and under certain circumstances as follows –

1. When introducing a new person / system or piece of work equipment.
2. Following an accident or dangerous occurrence.
3. If there is reason to suspect it is no longer valid.

In general, the HSE do not stipulate how often assessments should be periodically reviewed, this should very much depend on the activity being looked at.

For example, if a distribution warehouse or engineering workshop have introduced a new piece of equipment or system of work, the competent assessor may wish to set a short review date of say three months, this should give sufficient time to identify any shortfalls in the original.

Thereafter the review may be extended to an appropriate time for the next one.

Most larger organisations generally set an annual review for their assessments, this is not an absolute requirement, but is simply a way of ensuring regular reviews and would follow best practice.

**Tip** - *when setting review dates, stagger them throughout the year to make the process more manageable, rather than having to review many in a short space of time.*

The HSE recommend a common sense approach to this whole process, in other words be realistic in what you assess, this isn't about analysing the use of a loo, and neither is it about putting unrealistic controls in place for everyday insignificant risks (*wearing goggles to play conkers comes to mind..*), it is about prioritising and managing the risks in your work place, preventing injury or ill health and ultimately, saving lives.

It is worth mentioning that your insurers are very likely to ask for copies of assessments as a start point, should there be a civil action against you following an accident. Ordinarily they would expect to see pre and post accident assessments, if these are not available then the defence is most difficult if not almost impossible.

Too many accidents and your insurers may well be talking to you about increasing your premiums!

For further practical and solution based advice and locally delivered bespoke training for your risk assessors or supervisors / managers, contact -



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## Further reading -

### Free Health and Safety Executive guidance documents -

Five steps to risk assessment (*INDG 163 REV 2*)

<http://news.hse.gov.uk/2006/07/13/five-steps-to-risk-assessment-leaflet-indg163-revised/>

Manual Handling (*INDG 143*)

<http://www.hse.gov.uk/search/results.htm?q=Manual+Handling&sa=Search&cof=FORID%3A11&cx=015848178315289032903%3Akous-jano68#1094>

DSE (*INDG 36*)

<http://www.hse.gov.uk/search/results.htm?q=DSE&cof=FORID%3A11&cx=015848178315289032903%3Akous-jano68#1077>

Working at Height (*INDG 401*)

<http://www.hse.gov.uk/search/results.htm?q=Working+at+height&cof=FORID%3A11&cx=015848178315289032903%3Akous-jano68#1147>

Stress (*INDG 406*)

<http://www.hse.gov.uk/search/results.htm?q=Stress&cof=FORID%3A11&cx=015848178315289032903%3Akous-jano68#1096>

First Aid (*INDG 347*)

<http://www.hse.gov.uk/search/results.htm?q=First+Aid&cof=FORID%3A11&cx=015848178315289032903%3Akous-jano68#1128>

COSHH (*A brief guide to the Regulations – What you need to know*)

<http://www.hse.gov.uk/search/results.htm?q=coshh&cof=FORID%3A11&cx=015848178315289032903%3Akous-jano68#1158>

Noise (*INDG 362*)

<http://www.hse.gov.uk/search/results.htm?q=Noise&cof=FORID%3A11&cx=015848178315289032903%3Akous-jano68#1095>

New and Expectant Mothers (*INDG 373*)

<http://www.hse.gov.uk/search/results.htm?q=New+and+expectant+mothers&cof=FORID%3A11&cx=015848178315289032903%3Akous-jano68#1142>

*Examples of a variety of assessments are freely available on the HSE website-*

<http://www.hse.gov.uk/risk/casestudies/>

**Other priced HSE Codes of Practice and guidance are available via the HSE book website -**

<http://www.hsebooks.com/Books/>

*The contents of the 'Focus on...' series are solely the views of the author, who is a Chartered Safety and Health Practitioner with more than thirteen years experience in the field of occupational health and safety, in a variety of industries.  
The only body that can interpret law with absolute authority are the law courts.*