

Health and Safety: A Guidance Note for Congregations

General

Church buildings need to be safe, for the protection of everyone using them, including employees, volunteers, members of the congregation, visitors and members of the public generally. Whilst most church buildings will not be places where there are significant safety hazards, it is nevertheless important that any potential hazards are identified, risks assessed, and action taken where necessary. This Note has been produced partly in response to requests for guidance and it is recognised that some congregations may already be aware of health and safety issues and be taking appropriate compliance steps. It is intended to highlight some of the main health and safety related issues which should be considered by each individual congregation and should be used as a resource where required. It is not intended to be exhaustive and attention is drawn to some of the sources from which more detailed information can be obtained. In particular there is extensive information available on the Health and Safety Executive website at www.hse.gov.uk.

The Health and Safety at Work etc Act 1974

There are various pieces of legislation which relate to different aspects of health and safety, of which the Health and Safety at Work etc Act 1974 is the main one covering occupational health and safety in the UK. The Act specifically applies to workplaces and therefore, covers any premises where employees of a congregation work. These could be churches or church halls if employees such as administrators, church managers, church officers, pastoral or youth workers or cleaners work there.

Under the 1974 Act, employers have a general duty to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all of their employees and also to ensure that persons not in their employment but who may be affected by their activities are not thereby exposed to risks to their health and safety. Any organisation with at least one paid employee is considered to be an “employer” for the purposes of the Act and the Regulations made under it. A congregation can of course be an employer. The Act also imposes a duty on those who have control of premises (in the case of a Free Church congregation this would be the Deacons’ Court or Finance Committee) to ensure, so far as is reasonably practicable, that the premises, means of access and any plant or substance in the premises, are safe and without risk to health. Employers also have a duty to involve their employees in health and safety matters and also to provide free health and safety training and protective equipment where needed.

As it is likely that there will often be volunteers working in church premises, it should also be borne in mind that the Health and Safety Executive have stated that, whilst most Health and Safety law specifically refers to “employees” and the duties owed to them, it is good practice, and very strongly recommended, that people working as volunteers are given the same level of protection as that given to employees.

Irrespective of the terms of the Act, the Deacons’ Court or Finance Committee of each congregation is responsible for ensuring that all premises under the control of the congregation are kept in as safe a condition as is reasonably practicable and that all persons using such premises are not exposed to avoidable risks.

Health and Safety Policy

The 1974 Act only requires employers of 5 or more people to have a written Health and Safety Policy. Most congregations will therefore be exempt from this requirement. It is nevertheless good practice for congregations, particularly those where there are volunteers, to adopt such a Policy regardless of how many employees they have. It is therefore recommended that all congregations have a formal Health and Safety Policy.

A specimen Health and Safety Policy, suitable for use by congregations, is provided with this Guidance Note and can be adapted as required by each individual congregation. In very general terms, the Health and Safety Policy should include information about who is responsible for health and safety issues on a day to day basis on behalf of the Deacons' Court or Finance Committee and about when and how health and safety matters are managed.

Ideally a Health and Safety Law poster should be displayed in a prominent place in the building, or, alternatively, individual pocket cards can be issued to all employees. This is optional, although recommended, for congregations with less than 5 employees. The poster and cards can be obtained from HSE Books (tel: 01787 881165).

Risk Assessment

In order to manage health and safety, the Deacons Court or Finance Committee for each congregation should arrange to have a risk assessment carried out. This is simply a careful examination of what, at premises under the control of the congregation, could cause harm to people, so that it can be decided whether enough precautions have been taken or whether more should be done to prevent any possible harm. A suggested starting point is for a health and safety sub-committee to be appointed, with one person being given specific responsibility for health and safety. The law does not expect all risks to be eliminated but does require that people are protected so far as is reasonably practicable. Risk assessment is not an exact science, but rather should be a practical exercise, aimed at getting the right controls in place. It should be kept as simple as possible and should result in action being taken where required. The Health and Safety Executive have produced useful guidance on risk assessment entitled "*Five steps to risk assessment*" and a copy of this is provided. It can also be viewed on the HSE website at www.hse.gov.uk/pubns/indg163.pdf.

Some specific health and safety issues to consider -

- **The risk of anyone being injured as a result of slipping, tripping or falling.** This is the most common cause of injury at work. It is very important to be aware of the risk of this in premises such as churches or church halls where members of the public will be present. Floor surfaces should be kept safe and in particular should not be uneven, cracked, damaged, wet or slippery. Mats or rugs should not be used, and carpets should be fixed securely and not be worn. Steps should be kept in good condition and any steep steps or paths should have a handrail. Stairways should be kept safe and adequately lit. Paths and driveways should be kept free from potholes and if used in the dark should be adequately lit. It should also be considered whether temporary work being carried out at the premises may cause hazards, for example trailing cables. Inspections of premises should be made at regular intervals and remedial measures taken if required. More detailed information can be downloaded from the HSE website at www.hse.gov.uk/slips.
- **The risk of anyone being injured as a result of a fall from a height, such as from a ladder.** The Work at Height Regulations 2005 came into force on 6 April 2005 and applies to employers, those acting under their control and to the self-employed. Work at height should be planned and appropriately supervised and should not be carried out where it is

reasonably practicable to carry out the work in another, safer, way, such as taking down items for cleaning rather than cleaning at height. In terms of the Regulations, ladders may only be used for work at height if a risk assessment has shown that the use of more suitable equipment (such as tower scaffolds or mobile elevated work platforms) is not justified because of the low risk and short duration (up to 30 minutes) of use, or because of existing features on site which cannot be altered (such as fixed pews). If ladders are used, they should be safely secured, and this may necessitate the use of ladder ties. It should be ensured that anyone working at a height is competent to do so and has appropriate and well-maintained equipment. A guide to the Regulations, *“The Work at Height Regulations 2005 (as amended): A brief guide”* is available from HSE Books or can be downloaded from the HSE website at www.hse.gov.uk/pubns/indg401.pdf.

- **Safety of plant and machinery generally (including ladders).** Employees and volunteers should not operate machinery that they are not trained and authorised to use. Machinery should always be switched off before any adjustments are made to it. Lawnmowers and any other maintenance equipment should be regularly checked and kept safe. Any necessary protective equipment, such as visors for use with strimmers, should be available and worn where appropriate.
- **Risks arising from maintenance and building work.** Congregations are responsible for contractors and others working at their premises. Any contractor employed by a congregation should be able to produce evidence of appropriate public and employers’ liability insurance. They should comply with all the requirements of the congregation’s Health and Safety Policy. They should also be able to show where necessary that any plant and machinery used by them on the premises has been inspected and tested and is safe. Particular areas of concern might be work being carried out at height, for example on the roof, as referred to above, or work which may involve asbestos being disturbed. Asbestos is an important issue and a separate Note on this is provided.
- **Hazardous substances (including cleaning materials).** These should be used safely and stored securely. More detailed information on this can be downloaded from the HSE website at www.hse.gov.uk/coshh.
- **The presence of trees in the grounds.** These should be kept in a safe condition and expert advice should be taken if necessary.
- **Fire Safety.** This important topic is covered in a separate accompanying Note.
- **Gas safety.** All gas appliances and installations should be in good condition and properly maintained. There is a legal requirement for an annual service by an approved contractor on the Gas Safe Register and for records to be kept of this. More detailed information can be downloaded from the HSE website at www.hse.gov.uk/gas.
- **Electrical safety.** All electrical systems, including wiring, switches, sockets, appliances, leads and plugs, should be in good condition and properly maintained. Inspections of plugs, cables and sockets should be carried out at appropriate intervals to ensure that there are no loose connections, worn flexes or trailing leads. All portable electrical equipment should be tested at appropriate intervals to ensure that it is safe. It is recommended that fixed electrical systems are inspected and tested by a competent contractor every 5 years. More detailed information can be downloaded from the HSE website at www.hse.gov.uk/electricity.
- **Glazing.** Safety glass should be fitted in all windows below waist height and in (or next to) doors below shoulder height or elsewhere if there is a likelihood of injury. Alternatively, safety barriers may be used to prevent falls through windows.

- **Preparation and/or sale of food and drink on church premises.** Food hygiene regulations should be complied with where these apply and it is recommended that any congregation involved in the preparation and storage and/or sale of foodstuffs seek and act upon advice tailored to their specific circumstances from their local Environmental Health Officer. All food handlers should have received adequate instruction and training.
- **Risk assessments/activities.** Risk assessments should be carried out in respect of all activities that carry a significant risk, such as events involving the use of bouncy castles and similar play equipment, which should be safe and properly supervised at all times.
- **Accidents and First aid.** As a minimum a suitably stocked first aid box should be kept on the premises and an individual should be appointed to take charge of first-aid arrangements. The Health and Safety (First Aid) Regulations 1981 require employers to provide adequate and appropriate equipment, facilities and personnel to enable first aid to be given to employees if they are injured or become ill at work. These Regulations apply to all workplaces including those with 5 or fewer employees. While they do not place a legal obligation on employers to make first aid provision for non-employees, such as members of the public, the Health and Safety Executive nevertheless strongly recommends that non-employees are included in a first aid needs assessment and that provision is made for them. An accident book should be kept on the premises. This should be in the form prescribed by the Health and Safety Executive in order to comply with Data Protection requirements. Records of accidents involving any person on the premises must be kept. These should include the names and addresses of, and ideally written statements from, any witnesses. If a church or church hall is let to outside organisations, they should be informed in writing that in the event of an accident, details must be entered in the accident book and a separate accident book should be kept for this. Further information can be downloaded from www.hse.gov.uk/firstaid and www.hse.gov.uk/riddor (for reporting an incident).

Finally, advice in respect of specific situations relating to health and safety matters can be obtained from the Free Church Offices.