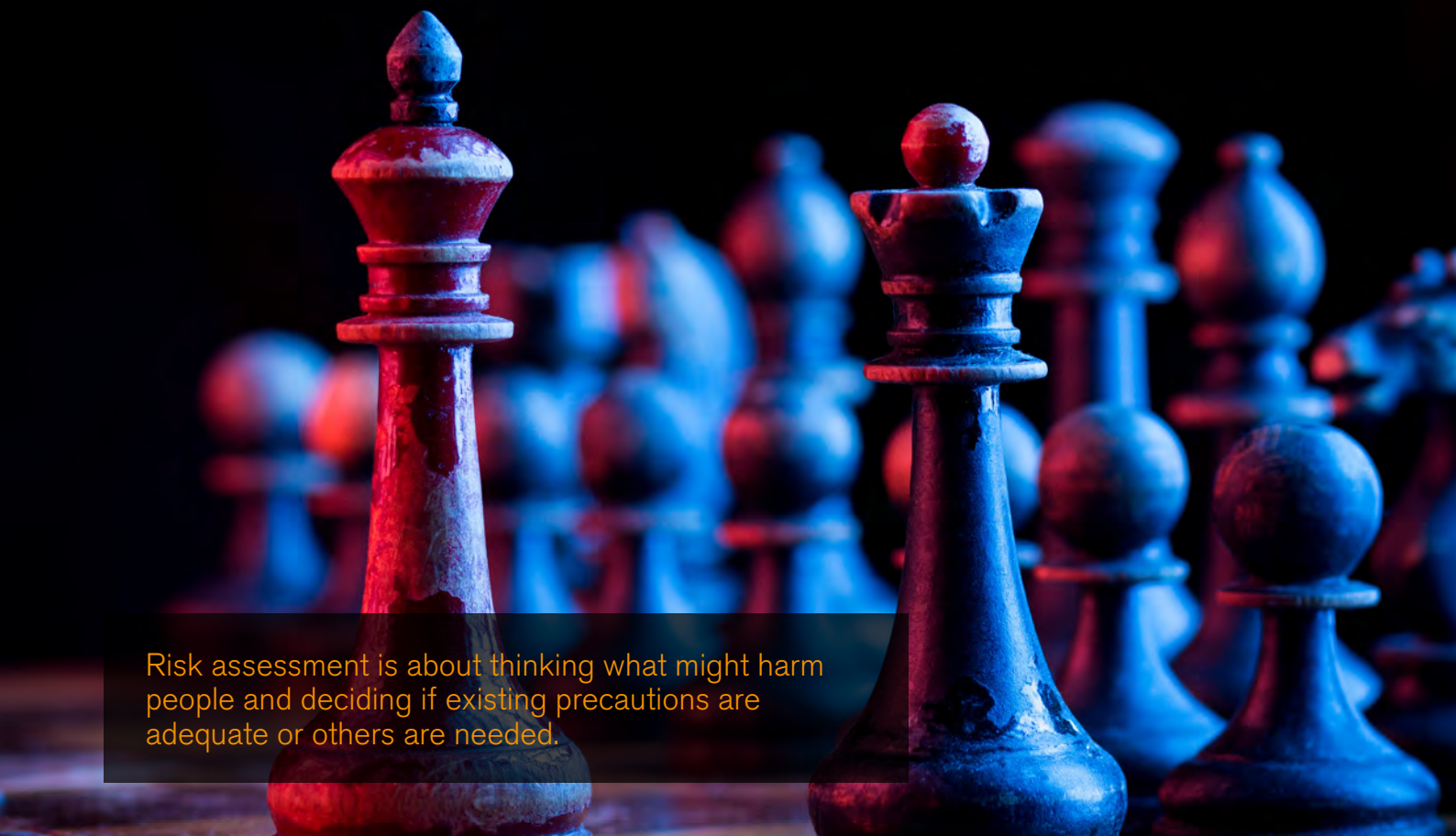


4.0 Risk Assessment



Risk assessment is about thinking what might harm people and deciding if existing precautions are adequate or others are needed.

Introduction

It is an obvious thing to say, but key to managing the risk from slips and trips is making sure that reasonable precautions are taken. In most cases, this will involve thinking about what might harm people and then deciding if the precautions already in place are adequate. If they are not, further action may be needed to prevent any danger to them. When done formally, this is known as a risk assessment.

As many already know, the Management of Health and Safety at Work Regulations¹ (the Management Regulations) require employers to complete these. The assessments need to meet certain standards. For example, where there are five or more employees they must be recorded detailing any significant findings and those employees who may be especially at risk. Many of those who are responsible for historic properties will need to complete them where they are an employer. And for many, the risk posed by slip and trip hazards will need to be considered when doing so.

Where an organisation has fewer than five employees, the risk assessments do not need to be recorded. However, good practice suggests that it might be useful to record findings so that precautions might be reviewed at a later date. This is not the same as documenting risk assessments to meet the requirement where there are more than five employees. Here, simple records to demonstrate that appropriate checks have been made to prevent slips and trips will suffice. This could include mobile phone records or diary notes; minutes of meetings etc. In the event of an accident, it is understood that the Health and Safety Executive (HSE) would accept sworn statements to the effect that arrangements were in place.

¹ SI 1999, No. 3242 (Regulation 3(1)), www.legislation.gov.uk/uksi/1999/3242/regulation/3/made

Where an organisation is not an employer, they are under no obligation to complete risk assessments considering slips and trips. However, they may still be under a duty to prevent them. This would be where they control premises used as a place of work or where others might use 'plant or substances provided for their use there' (e.g. using electrical systems or equipment).² More generally, if someone is injured you may need to show that you have

met your duty of care (see [Module 2.0, Slips, trips and the law](#)).

Whatever the case, completing risk assessments on their own won't prevent accidents happening. However, they will go a long way in identifying suitable precautions. Obviously, these then need to be taken.

Risk assessment and insurance



Risk assessments should consider slips and trips on stairs including areas not accessed frequently.

Risk assessments are important to insurers. When done properly, they identify sensible precautions that, if taken, will prevent accidents in the first place. This reduces the potential for claims, a consideration that can be reflected in the premium.

Good risk assessments, properly documented, can also assist in the defence of claims. However, in these circumstances they are sometimes shown to:

- be inadequate or poorly developed
- identify precautions that are impractical, inadequate, unnecessary or over-commit
- focus on trivial hazards
- be completed by those who are not competent.

It is also worth noting that it is possible for an organisation to find its own risk assessments being used against it in claims for compensation or in criminal prosecutions. This is because they record the standards an organisation has committed itself to achieving. As such, they can show where an organisation has failed to meet these.

What is the purpose of risk assessment?

To answer this, we need to look more closely at the requirement under the Management Regulations³. The duty on an employer to make a suitable and sufficient assessment is twofold. That is, they must consider the risks to health and safety of:

- their employees whilst they are at work; and
- persons not in their employment who may be affected by it.

So the first consideration is that the risk assessment covers not just employees, but others as well. Unfortunately, it has been shown that many organisations frequently do not consider visitors and others in the assessments they complete⁴.

The implications of this, particularly in the context of public liability insurance, is significant when it comes to slips and trips. Many historic buildings are open to the public, with large visitor numbers and corresponding high levels of footfall. Sometimes, the premises themselves or the activities hosted there can present unusual or significant slip and trip hazards. Therefore, it is essential that any risk assessments consider these fully. For example, to do this you may need to look generally at the groups of people who visit your premises (e.g. employees, volunteers, visitors, contractors etc.), as well as their age ranges, abilities and the extent to which they might be aware of the risks there.

² Section 4(2), Health and Safety at Work etc. Act 1974

³ Regulation 3(1), SI 1999, No. 3242, available at www.legislation.gov.uk/uk/si/1999/3242/regulation/3/made

⁴ An evaluation of the five steps to risk assessment, CRR 476, HSE, available at www.hse.gov.uk/research/rrhtm/rr476.htm

Not only do risk assessments need to consider all those who might be harmed. They must also identify the steps employers need to take to comply with relevant statutory provisions.

This means the requirements of the Health and Safety at Work etc. Act 1974 and any health and safety regulations made under it. As such, it could be argued that risk assessments must determine the extent of compliance with these and any related good practice guidance.

This point can become important in the defence of claims. Failing to assess current precautions against a common 'standard' highlighted in recognised guidance can be problematic. Starting from this point can also help employers identify the right precautions that are 'reasonably practicable'. Further, it can also identify a point where enough has been done, at least initially.

So for slips and trips, any risk assessment should consider the requirements of the Workplace (Health, Safety and Welfare) Regulations⁵ (in particular Regulation 12) where they apply; the supporting Approved Code of Practice⁶; relevant guidance provided by the HSE⁷; relevant standards (e.g. Building Regulations) or other recognised guidance.

HSE further clarify this point for smaller organisations in the publication HSG 65⁸. Here, they suggest that completing a suitable and sufficient risk assessment can be based on informed judgement and using appropriate guidance. Practical clarification on this point can be found in the sample risk assessments available from [HSE](#). This indicates again that for each hazard identified, the existing precautions in place should be compared to good practice guidance.

Completing risk assessments – slips and trips

There are no fixed rules about how a risk assessment should be carried out. However, HSE does set out an approach⁹ that can be followed by most organisations. This can easily be adapted to include consideration of slip and trip hazards and the precautions necessary to prevent them.

However, other approaches may be used where these are more appropriate, reflecting the nature of the premises, the work undertaken and the types of hazards there. Whatever the approach, it should be practical focussing on the adequacy of any precautions and what else might be needed in the circumstances. This is particularly relevant in historic properties.



Risk assessment approaches need to be practical, focusing on the adequacy of precautions.

Planning the assessment

It is a good idea to give some thought to and plan how you intend to complete your risk assessments in relation to slips and trips. Obviously, any action you take needs to be proportionate depending on your own circumstances. Your approach should reflect the size of your premises; the numbers of employees, volunteers or visitors you have; and the nature of the activities involved there. For smaller historic properties, completing the necessary risk assessments in relation to slips and trips can be quite straightforward. For larger ones, it might need to be more involved particularly if they have a high footfall, unusual features or a diverse number of activities and events.

In considering your approach, it is worth remembering that you may need to demonstrate that:

- a proper check was made
- you considered all those who may be affected
- you dealt with all the obvious, significant slip and trip hazards, taking into account the number of people who might be affected by them
- the precautions you implemented were reasonable
- you involved your employees or their representatives in completing them.

⁵ SI 1992, No. 3004, available at www.legislation.gov.uk/ukSI/1992/3004/made

⁶ Workplace health, safety and welfare, L24 (Second Edition), HSE available at www.hse.gov.uk/pubns/books/l24.htm

⁷ See www.hse.gov.uk/slips/index.htm

⁸ Part 3, HSG 65, Managing for Health and Safety, HSE, available at www.hse.gov.uk/pubns/books/hsg65.htm

⁹ For further information see www.hse.gov.uk/risk/controlling-risks.htm

As such, your approach should:

- Be systematic – in identifying slip and trip hazards and determining the adequacy of precautions taken, addressing what actually happens at the premises.
- Consider all those affected including those who may be especially at risk – not just employees, but others too.
- Consider both routine and non-routine activities – for example, maintenance and cleaning activities; one-off concerts, events or other fund-raising activities, particularly if there will be a significant increase in footfall or activities and equipment that may introduce additional slip and trip hazards or increase the potential for these.
- Identify the period of time for which it is likely to remain valid – to assist with the review of any precautions taken.
- Be documented, perhaps as part of your health and safety policy (if you need to prepare one).

Competence to complete risk assessments

The duty to carry out the risk assessments rests with the employer although completing them is usually delegated to others within the organisation. Here, they must be competent, having a proper understanding of:

- relevant health and safety legislation and supporting guidance
- precautions that can be taken to prevent slips and trips
- the premises and any work activities or events held there
- any limits to their own knowledge or competence and the ability to recognise when it is appropriate to seek further technical advice and/or support from specialists.

In many instances, this is something that can be managed without bringing in outside expert help. One or more staff can complete these, provided they have some appropriate knowledge and are willing to carry them out. As regards knowledge, simply being able to refer to, understand and apply relevant guidance (say that provided by the HSE) will be enough in many cases.

For larger historic properties, it may be necessary to develop in-house competency (usually through relevant training) or bring in external help for support. For the latter, this may only be the case for larger premises or estates with significant numbers of employees, volunteers and visitors or where there are many diverse activities.

It is important to remember that whoever completes them, the responsibility for this still rests with the employer.

Another point worth bearing in mind is that under the Management Regulations¹⁰, most employers must appoint one or more 'competent person' to assist them with health and safety matters. Frequently, they complete the required risk assessments themselves, consulting others where appropriate. On other occasions, they are used in a co-ordinating, advisory and supporting role. This is particularly so where a 'team' approach to completing risk assessments is necessary, involving different staff with appropriate knowledge and varying skills, to ensure that all aspects of the premises are considered.

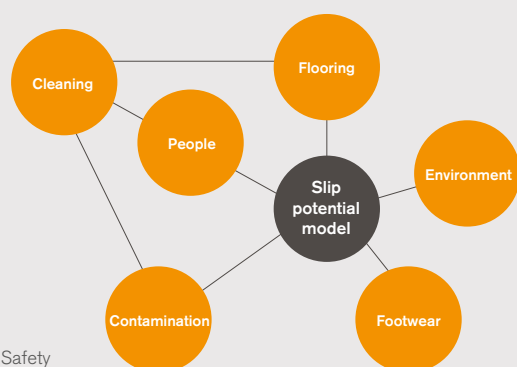
Whatever the approach, you will need to consider the competency of those involved, providing effective training, information and instruction for them if necessary. You may also want to record details of this and review training needs periodically.

In some situations, there may be a need for specialist advice in relation to preventing slips and trips. This may be for very large sites or events; premises with unusual features or for risks which need specialist analytical techniques (such as, measuring the slip resistance of floor surfaces). In these cases, it is essential that you make sure that any such advisers understand the nature of the premises themselves and activities there; the historic and conservation values associated with them; and the practical application of slip and trip precautions in such premises to meet legal requirements.

¹⁰ Regulation 7, SI 1999, No. 3242, available at www.legislation.gov.uk/uk/si/1999/3242/regulation/3/made

Identifying slip and trip hazards

Slip potential model



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Typical slip and trip hazards can be identified applying the [HSE's slip potential model](#) and [trip potential triangle](#). Just using the headings alone, can be useful to check that all hazards have been properly identified in historic properties.

Flooring – for most historic properties, the flooring itself would not have been designed to meet modern day standards (e.g. those relating to the slip resistance of floor coverings). In many cases, it may have become worn or made uneven over time.

Cleaning – this usually takes care of any contamination that would otherwise lead to slip accidents. However, the cleaning process itself can often introduce further hazards particularly in historic properties (e.g. over-polished wooden floors, wet-mopping on marble floors, trailing cables etc.).

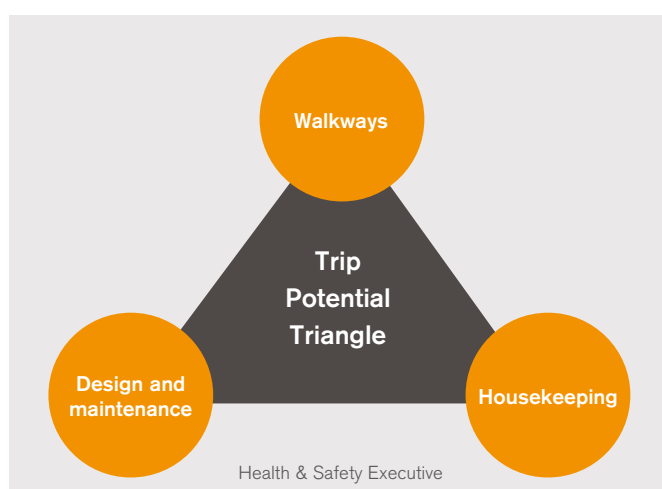
Environment – in many historic properties, lighting (natural or otherwise) can be quite poor whereas adverse weather (such as rain, frost or ice) can make many floor surfaces much more slippery.

People – how people act in historic properties can increase the risk of slipping or tripping. This is not just during normal, day-to-day activities, but also they may behave differently at events (e.g. weddings, concerts, festivals etc.). Here, the increased numbers of visitors alone or the event attractions themselves may increase the risk from slips or trips significantly. In some circumstances, the risk may be accentuated where people are frail, elderly or disabled. Where alcohol is consumed, this may also be a factor that might need some consideration.

Contamination – is anything that ends up on a floor, e.g. spills of liquids (particularly in cafes and other food 'outlets'); mud and rain water brought indoors on footwear; cleaning (e.g. the use of polishes) and leaks etc. It is a factor commonly associated with most slip accidents, as people rarely slip on a clean, dry floor. This can be a particular problem in historic properties where many floors

have smooth surfaces (e.g. ceramic tiles, varnished wood etc.). Here, even a tiny amount of contamination can present a significant slip hazard.

Footwear – whilst it may be easier to stipulate and provide appropriate footwear for employees, it is not possible to do this for most visitors to historic properties. However, it is important to consider how various types of footwear may accentuate slip or trip hazards in a particular premises. This will help decide on the adequacy of any precautions that have been taken. Providing simple visitor information about the types of slip or trip hazards that might be encountered and the appropriateness of certain footwear will also help.



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Walkways – in historic properties walkways will not have been constructed to meet modern standards. Typical hazards include holes; adverse slopes; unevenness; poor drainage; changes in floors levels or stairs; poor lighting, glare, shadows, bright lights and inadequate colour contrasting.

Housekeeping – usually, in historic properties, trips from poor housekeeping can result from cleaning or maintenance work (e.g. the storage of materials, equipment and waste, trailing cables etc.).

Design and maintenance – sometimes in historic properties, the floors may not provide adequate areas or widths to ensure safe travel. In others, they may be not be provided with suitable, fixed handrails. Stair dimensions may be inconsistent and nosing may be indistinguishable. Inadequate lighting may also increase the risk. In some situations, walkways may be inadequately maintained. Even with some relatively modern designs (for example, mid-20th century) that have been added to a historic building, these can be more hazardous than some of the historic parts. These are often overlooked.

Typical hazards in historic properties include:

- loose, worn, frayed or unfixed carpets, rugs, mats and other floor coverings
- loose, damaged and uneven tiles, stone paving, flagstones and floorboards
- variations in the level of floors (e.g. ramps) or stairs (i.e. irregular steps)
- slippery floor materials and coverings, particularly wooden floors
- worn, steep and uneven steps and stairs
- inadequate lighting particularly on steps and stairs
- inadequate or damaged handrails on steps and stairs
- trailing electric leads and other obstructions
- cleaning activity, making floors more slippery (e.g. wet mopping or use of polishes)
- wet or contaminated floors from poor maintenance of the building (e.g. leaking roofs)
- spillages of food or drink, particularly in kitchen areas
- walk-in contaminant from adverse weather (e.g. rainwater)
- uneven footpaths
- damaged paving stones and slabs
- damaged access and boiler room steps
- potholes
- unprotected drops
- protruding tree roots and undergrowth particularly on footpaths or other access routes
- growth of algae or moss
- accumulations of wet leaves or loose materials
- adverse weather making footpaths, steps etc. unsafe (e.g. rain, snow and ice)
- events that increase footfall, accentuating the risk from slip and trip hazards.

Please note, this list is not exhaustive.

As a starting point in spotting slip and trip hazards at your premises, it may be useful to:

- Identify any relevant statutory requirements and other resources (e.g. codes of practice, recognised guidance etc.) that might help identify foreseeable hazards. Useful information and tools are available from [HSE](#).
- Review any data or reports of accidents at your premises to identify where slips and trips have been a problem in the past. This may be more appropriate for larger premises rather than smaller ones or unstaffed locations. In some circumstances, it may be possible to map these by marking them on a plan or sketch of the premises to highlight possible 'hotspots.'

- Decide on the risk assessment approach to be adopted. For larger historic properties having a number of buildings, a large estate area, or a wide range of activities, ensuring that risk assessments cover all slip and trips hazards can be difficult. One practical way of approaching this is to divide the estate/premises into areas, completing separate assessments for each that include slips and trips. Even in some smaller premises, it may be easier to consider separate areas one at a time. For events, it may be appropriate to consider slips and trips in a specific event risk assessment as part of broader event safety plan. Where this approach is adopted, these circumstances should be identified – as far as possible – and procedures established to ensure that any risk assessment is completed as an integral part of the planning process.
- Consider the 'visitor journey' at larger premises or estates – identifying slip and trip hazards and using site plans to plot high areas of footfall or potential 'crush points' (e.g. where there is 'two-way traffic' or narrow stairs).
- Walk around or inspect your premises, identifying slip or trip hazards and the precautions in place. In doing this, it might be useful to look at the premises both from an employee and visitor perspective. A simple checklist which you could adapt is available from [HSE](#).
- Make frequent observations of visitors as they do not always act in a logical manner.



Walk around or inspect your premises to identify slip and trip hazards.

Decide who might be harmed and how

You should identify all those who may be harmed by the slip and trip hazards you have identified. This will help you decide on the best precautions to take to protect all of those who might be at risk. It is not a case of listing everyone by name, but rather identifying the groups of people affected.

These could include:

- full or part-time employees (e.g. stewards)
- agency workers
- volunteers
- those working unusual patterns (e.g. security workers, cleaners)

- those who carry out non-routine tasks (e.g. maintenance staff)
- contractors
- visitors (including vulnerable group e.g. disabled people, those whose first language may not be English etc.).

As mentioned previously, for visitors you may need to think about their age ranges, abilities and the extent to which they might be aware of the risks at your premises. You may also have to think about this in the context of non-routine occurrences (e.g. emergencies) or additional activities (such as, events where the age demographic might change significantly).

Evaluate the risks to decide if more needs to be done

Having identified the hazards and those at risk, you then have to decide how likely it is that harm will occur (i.e. assessing the level of risk). You can then decide if more needs to be done to prevent danger.

In most cases for slip and trip hazards, it is difficult to produce reliable, numerical estimates of risk based on probability and severity derived from collated data (e.g. accident data). So, for many, a qualitative approach to the assessment will be more effective. Usually, this will be based on a simple evaluation – that is, a value judgment on the adequacy of precautions in the context of statutory requirements and official guidance.

Generally, you need to do everything that is 'reasonably practicable'. This means balancing the level of risk against the measures needed to control the real risk. This is in terms of money, time or trouble. You do not need to take action if it would be grossly disproportionate to the level of risk.

Set against this context in the historic environment, it is reasonable to take account of other factors in making this decision. These include;

- Implementing physical precautions which interfere with the historical fabric of the premises (e.g. fitting a handrail to a flight of steps; replacing or repairing worn or damaged steps that have an historical significance). Here, it is acceptable to implement other precautions unless there is a real risk of injury. Also, in many cases, legal restrictions will determine what you can do (e.g. for ancient monuments, listed buildings etc.).
- Restricting access unnecessarily, leading to a lack of amenity from a cultural or recreational perspective (e.g. preventing access unnecessarily to certain areas which

might be of significant historic interest).

- Balancing the freedom of people to explore historic properties based on informed choices about the risks they take and responsibility for their own actions.
- Whether hazards are obvious or the risk from them is low or trivial.

This is not to say that these are reasons for doing nothing where there is a significant risk. Rather, that other precautions may be considered 'reasonably' practicable' in the circumstances concerned.

In considering the adequacy of existing precautions or the need for others you should consider if:

- The hazard can be removed altogether – in many cases, slips and trip hazards can be removed through proper repair (e.g. potholes) or good housekeeping (e.g. to avoid trailing cables). Frequently though, this is not possible or desirable and alternative precautions are required (e.g. improving lighting levels).
- Preventing access to the hazard – for example, fencing off hazardous access routes, providing other safe access etc. Again, in many historic settings this is not appropriate and other precautions will be appropriate to adequately protect people from danger.
- Organising work or activities to reduce exposure to the hazard – for example, managing visitor access routes; allowing access under the supervision of trained guides etc.
- Providing information for visitors and training for employees and others.

Your risk assessment should only include what you could

reasonably be expected to know – you are not expected to anticipate unforeseeable risks. You should also establish whether there are improvements that can be implemented quickly, even temporarily, until more reliable controls can be put in place.

Remember, the greater the risk the more robust and reliable the control measures will need to be.

If your risk assessment identifies a number of hazards, you need to put them in order of importance and address the most serious risks first.



In identifying precautions see if the hazard can be removed altogether.

Record your significant findings

There are no legal requirements regarding the format of any risk assessment records. However, when it comes to slips and trips, they should:

- record the precautions in place
- identify any further action required to reduce risks sufficiently
- prove that a suitable and sufficient assessment was made
- be in writing – although this may be in an electronic format as long as it is retrievable and remains so
- where appropriate, link to other health and safety records or documents (e.g. written health and safety policy, associated procedures or arrangements etc.).

The extent of the records required should be proportionate. They should reflect the size of the premises; the numbers of employees, visitors and others who use them; and the nature of the activities there. So, for smaller premises, having low visitor numbers and few employees or events the records could be quite simple.

In historic properties, it might also be useful to record the reasons why certain precautions were not possible as well. For example, this would be particularly relevant where a 'physical intervention' was not permitted due to the historical nature of the premises. In this case, whilst the provision of a safety sign is usually considered the last resort it might be the only option available. Recording the reasons could help defend a claim in the future.

Review your risk assessment and update if necessary

Risk assessments must be reviewed where there is reason to suspect that they are no longer valid or there has been a significant change in the matters to which they relate¹¹.

When it comes to slips and trips, examples of where it would be appropriate to review them include where:

- there has been an accident or 'near miss'
- concerns have been raised by employees or others
- there is a significant change in footfall numbers
- there are changes to the types of activity at your premises (e.g. diversification into events)
- an event is planned
- additional precautions are still needed
- there are changes to legislation, guidance or best practice.

¹¹ Regulation 3(3), SI 1999, No. 3242

Beyond risk assessments

It is important to remember that risk assessments are not an 'end' in themselves, but a 'means to one'. They are simply a first step considering the adequacy of any precautions to prevent slips and trips. Once complete, they should be used to develop safe working practices further, as the effective prevention of slips and trips will depend upon:

- **Implementing the precautions identified** – this may include providing adequate resources (including finance for repairs); equipment and materials for cleaning or maintenance; information and training for employees and others etc.
- **Monitoring and reviewing the precautions taken** – including routine checks. This could be to ensure the effectiveness of any precautions taken and that access routes remain clean, free from obstruction, properly maintained and appropriately lit.

Need to contact us?

For further advice Ecclesiastical customers can call our Risk Management Advice Line on **0345 600 7531** (Monday to Friday 09:00 to 17:00, excluding Bank Holidays) or email us at risk.advice@ecclesiastical.com and one of our experts will call you back within 24 hours.

