

Ref No 5042 (v7)

Health and Safety for Property Owners

The Health and Safety at Work etc Act 1974 (Section 4) requires persons in control of premises to make broad provisions for the health, safety and welfare of people (including visitors and other users). These duties are described more specifically in the Workplace (Health, Safety and Welfare) Regulations 1992 and associated Approved Code of Practice, which establish a consistent set of standards for most premises.

Maintenance (Regulation 5)

The premises, equipment and devices and systems should be maintained in an efficient working order. Such maintenance is required for systems, equipment and devices which could cause a risk to health, safety or welfare if a fault occurred.

Where appropriate, a suitable system of maintenance ensures that:

- a) regular maintenance including (as necessary), inspection testing, adjustment, lubrication and cleaning is carried out at suitable intervals;
- b) any potentially dangerous defects are remedied and access to defective equipment is prevented in the meantime;
- c) regular maintenance and remedial work is carried out properly; and
- d) a suitable record is kept to ensure that the system is properly implemented, and to assist in validating maintenance programmes.

Lighting (Regulation 8)

Good lighting is essential in all areas, particularly stairs and corridors to enable people to move about safely.

Cleanliness and Removal of Waste Material (Regulation 9)

Floors and indoor traffic routes should be cleaned weekly. Removal of waste should be carried out as necessary by an effective method and waste should be stored in suitable containers whilst awaiting collection.

Conditions of Floors and Traffic Routes (Regulations 12 and 17)

Floors and traffic routes have to cater for access

and egress and movement of persons about the premises, either as pedestrians or in vehicles arriving at or leaving the site. Holes and defects to roadways, paths, floors and floor coverings should be identified and repaired promptly, particularly those on staircases. Where immediate repairs cannot be effected it may be necessary to prevent people passing through the area or to post appropriate warnings.

Falls and Falling Objects (Regulation 13)

The aim is to prevent people from falling from edges and to prevent objects from falling onto people. A variety of issues need consideration, including the provision of fencing or covers, fixed ladders, roofwork, etc. Secure fencing will always be required where someone could fall a significant distance, but a risk of falls from lesser heights also needs to be considered.

Windows and Transparent or Translucent Doors, Gates and Walls (Regulation 14)

Windows and transparent or translucent surfaces in walls, partitions, doors and gates in certain locations may pose a risk of injury. Where necessary for reasons of health and safety, vulnerable areas need to be identified and unless made up of safety material, protected by other means against breakage. Transparent or translucent areas may also need to be marked or incorporate features to make them apparent.

Any door or gate which can be pushed open from either side should be provided with a viewing panel to allow a clear view of the area close to both sides.

Windows, Skylights and Ventilators and Ability to Clean Windows (Regulations 15 and 16)

Windows, skylights and ventilators which are provided for the purpose of ventilation need to be capable of opening, closing or adjustment without risk to health and safety. Additional controls or devices may be necessary to protect against falls from height through or out of open windows. Arrangements should be made to ensure that window cleaning can be carried out safely.

Doors and Gates (Regulation 18)

Doors should be designed so that they can be easily opened. Power-operated doors and gates should have safety features to prevent people being struck or trapped and where necessary, should have a readily identifiable and accessible control switch or device so that it can be stopped quickly in an emergency.

Upward opening doors or gates need to be fitted with an effective device to prevent them falling back.

Electrical Safety

Electrical equipment should be designed and installed to a suitable standard e.g. *BS7671 Requirements for electrical installations* and maintained in a safe condition. All persons carrying out work on electrical systems should be confirmed as competent to do so.

Passenger Lifts

Lifts should be constructed to a suitable standard. The lift should be thoroughly examined every 6 months by a competent person. Lifts should be adequately maintained in accordance with the manufacturer's instructions.

Gas Safety

All boilers and central heating systems should be installed and serviced regularly under contract by competent persons only. Such work should only be done by businesses which are members of the Accrediting Body for Installers, Gas Safe.

Asbestos

Owners have a duty to manage the risk from asbestos containing materials, by identifying the amount, location and condition; keeping records, checking its condition and assessing the risk.

Putting a management plan into action and providing information to anyone who is likely to work on or disturb it.

Fire Safety

A special fire risk assessment should be completed for the common parts of the premises to which occupiers, visitors, contractors and other are allowed access. Individual occupiers will have similar duties within their own areas other than single domestic residences

Legionnaires Disease

Those with responsibilities for water systems in premises are responsible for ensuring the risk for exposure to legionella infection is assessed and that appropriate control measures are introduced.

Outdoor Safety

Steps and paths should be kept in good condition and free from obstructions which may lead to tripping hazards e.g. refuse and gardening equipment. Steps should have a suitable handrail and paths, and those which are used in the hours of darkness should be provided with outdoor lighting. Checks should be made to ensure any water features do not pose a significant risk to health and safety.

Contractors

All contractors hired to work on premises have their own duties to comply with health and safety legislation. However, they may need to be given

information about the premises to ensure their health and safety. Enquiries should be made about the contractors own procedures so that they will not endanger themselves or other persons.

Security

Consideration should be given to preventing access by unauthorised persons to the premises, either by some means of access control or by manning arrangements

Key Action Steps

- Arrange for a suitable and sufficient risk assessment of the premises and activities undertaken there.
- Establish safe systems of work based on the findings of risk assessments.
- Carry out regular housekeeping inspections.
- Implement a planned preventive maintenance programme.
- Operate a structured approach to the selection and monitoring of contractors for both routine and occasional work
- Keep records of action taken.

References

Workplace (Health, Safety & Welfare) Regulations, 1992 - Approved Code of Practice and Guidance L24, available from HSE Books 01787 881165. Electrical Safety and You INDG 231 HSE Books 1996.

Thorough Examination and Testing of Lifts Simple Guidance for Lift Owners INDG 339 HSE Books 2001.

Working Together Guidance on Health and Safety of Contractors and Suppliers INDG 268 HSE Books 2002

Landlords: A Guide to Landlords Duties Gas Safety (Installation and Use) Regulations 2009 INDG 285 HSE Books 1999.

A short guide to managing asbestos in premises 2002 INDG 223 HSE Books.

Legionnaires disease – Essential information for providers of residential accommodation INDG376 HSE Books 2003

Guidance on fire risk assessment is available at www.communities.gov.uk/fire/firesafety/firesafetylaw/

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Aviva Risk Management Solutions operate a Risk Helpline during normal business hours for the cost of a local telephone call. The telephone number is:

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www.aviva.co.uk/risksolutions