

Health & Safety Update | October 2019

Welcome to Strutt & Parker's Farm Research Group Health & Safety Update. The quarterly Health & Safety Update is designed to assist you in ensuring that you are thinking about topical health and safety matters on your farm or estate. Health and safety is a vital part of any business operation.

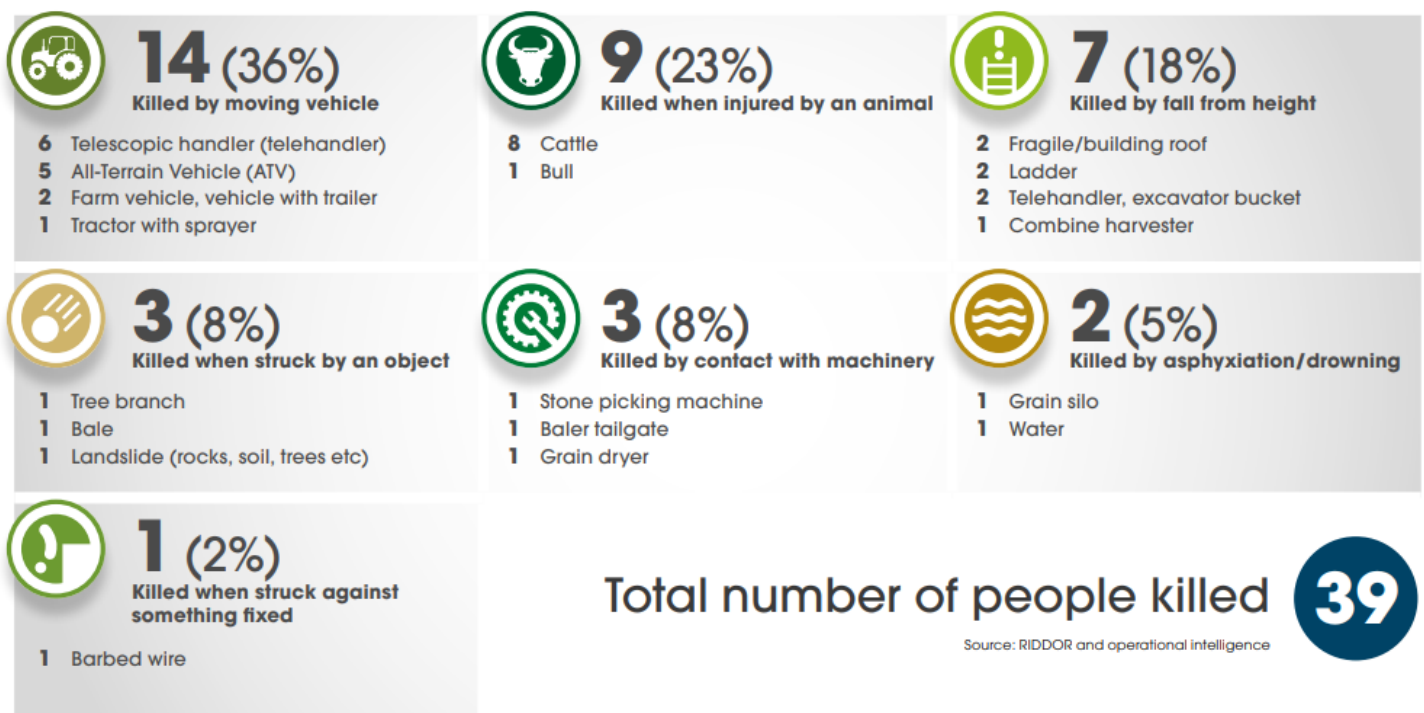
The Health & Safety Executive (HSE) have published the latest statistics on fatal injuries in agriculture in 2018-19. This update reviews these figures and provides a summary of the most common causes of fatalities. We consider biosecurity and, in a wet autumn, we remind ourselves that farmers who deposit mud on the road are potentially liable for a range of offences and consider the steps to be taken to prevent this problem arising. Having recently looked at the dangers of lone working, we touch in this update, upon tools and technologies for good communication. This update also considers general precautions to be observed when handling or working with substances hazardous to health. Lastly, we look at managing contractors on your farm or estate, and the health and safety implications of electric gates.

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FATAL INJURIES IN AGRICULTURE 2018-19

The Health & Safety Executive (HSE) have released the latest information on fatal injuries in agriculture in 2018-19.

- 39 people were killed, six higher than the previous year and six greater than the five-year average of 33.
- Seven fatalities were members of the public, two of which were children aged three.
- Nearly half of the employees killed were aged 60 or older.
- There were 13 fatalities in Scotland, six in Wales, and four in each of Yorkshire, the East and South East.
- The main causes of fatal injuries in 2018-19 were broadly similar in comparison with the five-year average.
- The fatal injury rate (the number of fatalities per 100,000 employees) is now 9.21, up from 8.29 previously.
- Agriculture has the worst fatal injury rate of the main industrial sectors, 18 times higher than industry overall.



BIOSECURITY

Biosecurity on farms and estates is important in terms of the risk of disease spreading between holdings from visitors who may have visited other agricultural or horticultural premises. When visiting other premises, you should ensure your vehicle and boots are clean and make use of any biosecurity measures that are in place on the host unit. It is not just between different units that care needs to be taken but between species; if you are calving or lambing an animal, always try to wash between assisting another animal and certainly before eating, drinking or smoking. Afterbirths should be disposed of appropriately rather than left in yards. Pregnant women should be kept well away from lambing ewes due to the risk of chlamydiosis, toxoplasmosis, listeriosis and Q fever. Whilst the risks are low, pregnant women should still avoid close contact with sheep during lambing.

On arrival at a unit, boots, protective clothing and equipment should be washed with water and detergent if possible. Personal protective equipment (PPE) will reduce the risks when combined with strict personal hygiene: washing, eating, drinking or smoking should not take place in close proximity to livestock or poultry or where they may have been kept.

Where biosecurity measures are present, you should always use them to protect yourself, the farm that you are visiting and your own farm from possible disease transfer or contamination. Disinfectants should be stored, transported, handled, used and disposed of safely.

MUD ON THE ROAD

This autumn's wet and unsettled weather presents a timely reminder that farmers and contractors who deposit mud from agricultural vehicles on the road as an unfortunate by-product of farm operations, are potentially liable for a range of offences which could result in fines or even imprisonment.

The Health & Safety at Work etc. Act 1974 requires the employer to look after the health and safety of employees and of anyone else who may be affected by their working operations. Employees have health and safety obligations for themselves and others. Meanwhile, a spectrum of powers are available to the Police and highways authority under the Highways Act 1980 and Road Traffic Act 1988.



Where mud presents a hazard that constitutes a public nuisance or results in personal injury, damage to property, loss or inconvenience, civil action can be claimed for negligence.

The Highways Act 1980 states at Section 161 that, "if a person, without lawful authority or excuse, deposits anything whatsoever on a highway in consequence of which a user of the highway is injured or endangered, that person is guilty of an offence." The Act allows the highway authority to require someone who has deposited mud on the road to remove it, failing which the authority can apply to the Magistrates' Court for a removal and disposal order. Section 149 of the Act also grants the highway authority the power to clean the road, and recover the associated costs from the person causing the obstruction. Meanwhile, the Road Traffic Act 1988 covers situations where a vehicle is driven dangerously on the road, including driving a vehicle in a condition that could cause danger to other users of the highway.

Steps must be taken to prevent mud being left on the road including:

- Doing everything reasonably practicable to prevent mud being deposited on the road, including cleaning mud from vehicles, as far as possible, before they are taken onto the road. The fact that cleaning mud off agricultural vehicles is commercially inconvenient, is not a defence.
- Keeping to internal farm roads and tracks wherever possible.
- Using 'slippery road' signs with a 'mud on road' sub-plate at points of maximum visibility to bring the potential hazard to the attention of members of the general public.
- Maintaining low speeds to minimise the amount of mud deposited on the road.
- Ensuring the availability of suitable and sufficient labour and machinery such as brushes, scrapers and water bowsers, for removing mud from the road. Also, being prepared to hire equipment where needed.
- Cleaning the road at the end of every working day and as necessary during the day.
- Where contractors are being used, ensuring that adequate public liability insurance is in place.
- Keeping a written record of decisions on whether or not to deploy signage and/or to clean the road. This is important because, in the event of an accident or injury and any subsequent investigation or prosecution, it may assist the case.

TOOLS FOR GOOD COMMUNICATION

Lone working is inevitable in agriculture. It is not outlawed, not illegal but can come with serious risk. There are a number of tools available that can help with good communication when lone working, the following are a number of suggestions:

- what3words is a free-to-use, downloadable app that assigns each three square metres of the planet a unique 3 word address. The author of this update is currently sitting at his desk at ///crowd.aware.darker. The app can be used to pinpoint your location and summon help including emergency services quickly and accurately, particularly in rural locations.



- Your mobile phone is your lifeline! Ensure you keep it fully charged and on your person at all times. Make sure you hold contact details for other employees and emergency services including 105 to contact the electricity distribution network operator in the event of coming into contact with an overhead powerline. Check that you are familiar with the in-built emergency functions for your particular handset including setting up and accessing the Medical ID and Emergency SOS functions.

- Man down radios are an extremely useful tool for ensuring quality and timely communication. They operate by detecting a lack of horizontal or vertical tilt and issuing an emergency signal after a pre-programmed period of time in the absence of movement. Alternatively, some units will simply send an emergency signal if there is no user interaction with the radio unit within a certain period of time. Make sure that all employees are familiar with the safety features of the device, particularly when working alone or in isolated areas.



If you do intend to use lone worker safety devices, ensure they are accredited to BS8484, which is the British Standard for the provision of lone worker safety device services.

COSHH

The Control of Substances Hazardous to Health Regulations 2002 (as amended) have been in place for many years. They require a form of risk assessment to be carried out for all substances that are hazardous to health in the workplace. The following general precautions should be observed when handling or working with substances:



- Read the appropriate Safety Data Sheets (SDS) before use and any warning labels on containers.
- Make sure you are familiar with warning symbols. The pictorals below illustrate some of the symbols that you are likely to encounter:
- These symbols have been designed to give you instant recognition of potentially harmful or dangerous substances.
- Do not swallow substances or breathe fumes or dusts. Should this happen accidentally, obtain medical advice immediately.

- Do not smoke near any substances, especially those which are flammable or oxidising.
- Take care when opening containers, some materials are quite volatile and it is possible that a slight pressure may build-up in the container. Always wear suitable eye/face protection.
- Do not sniff substances. It is an extremely dangerous practice that can cause serious damage to your health.
- Store all substances away from sources of heat, particularly those which are marked flammable or oxidising.
- Clean up any spillages immediately, using the recommended procedure.
- Wash your hands both before and after using the toilet.
- If any substances are splashed in the eyes, irrigate thoroughly with clean water for twenty minutes. If you are not sure whether the product is dangerous to the eyes, do it anyway. Obtain medical advice as soon as possible.
- If any substances are splashed on the skin, wash with soap and water unless specific instructions to the contrary are given. Many solvent-based materials and detergents will remove the natural oils from the skin. If continuous contact is unavoidable, wear protective clothing and gloves. The use of properly constituted creams and cleansing compounds can help replace the natural oils in the skin.
- Do not use solvent type materials in confined spaces unless provision is made for forced ventilation.
- Should a person be overcome by fumes of any nature, remove to fresh air, keep warm and obtain medical aid as soon as possible.
- Do not eat or drink in or near to areas where substances are being used.
- Always wash your hands before eating or drinking. Remember you may have splashes of substances on your protective clothing, which can easily transfer to your hands. Remove protective clothing before washing hands.
- Protective clothing should be cleaned and inspected regularly.

MANAGING CONTRACTORS

Anyone engaging contractors has health and safety responsibilities, both for the contractors and anyone else that could be affected by their activities. Contractors themselves have health and safety obligations. Use of contractors in itself does not result in poor health and safety standards, but substandard management can lead to injuries, ill health, additional costs and delays. Working closely with the contractor will reduce the risks to your own employees and the contractors themselves.

Contractors may be particularly at risk because they may be strangers to your workplace and therefore unfamiliar with your working practices, procedures, rules, hazards and risks. Even regular contractors may need reminding. The level of control needed will be proportionate to the complexity of the task.

You should select, co-ordinate and monitor competent contractors on your site. In doing so, consider the following:

- Demonstrate the importance that your business places on health and safety in the selection of contractors.
- Allocate sufficient time and resources in planning, preparing, managing, carrying out and supervising the task.
- Be clear about what you expect the contractor to do and think about the standards of competence that will be required.
- Ask the contractor to demonstrate their competence by verifying their health and safety training, providing references, completing a pre-qualification questionnaire or providing training certificates.
- Obtain the contractor's health and safety policy, risk assessments, method statements and insurance certification.
- Remember that some of the risks on your farm or estate may not be obvious to the contractor.
- Tell the contractor about any specific risks within the working area, e.g. the presence of asbestos.
- Ensure the contractor tells you about any additional risks they will be introducing to your farm or estate.
- Hold a pre-start meeting to ensure co-ordination and communication, ensure that incorrect assumptions are not made.
- Communicate and co-ordinate between contractors and your employees so everyone knows that is expected of them.
- Hold regular progress meetings and raise health and safety issues as they occur.
- Think carefully about contingencies if things don't go to plan.
- Ensure short cuts are not taken to reduce costs and there is no conflict of performance versus safety.
- Address health and safety concerns by engaging directly with the contractor, and acknowledge success.
- Support the decision to stop work if there are serious health and safety concerns.

ELECTRIC GATES



Electric gates are a common occurrence on farms and estates to bolster security. Where you install or modify electric gates, the following is required:

- Appropriate test equipment to measure closing/opening forces. The force of the gates should be limited to those in the British/European standards.
 - Sensors and reverse mechanism to stop and reverse the gates if they hit someone or something. This could be a light beam (photoelectric device) which stops the gates before they reach an obstacle.
 - Protection from people becoming trapped or crushed while the gate is moving. If people could be injured by the movement of the gate bars passing the gate post for example, this area must be protected or closed off.
- An emergency release mechanism in case someone gets trapped.
 - Component parts (such as motors and motor arms) supplied by separate manufacturers installed in accordance with the manufacturer's guidance and used in accordance with their instructions.

Where the gates are defined as a machine under the Supply of Machinery (Safety) Regulations 2008, a conformity assessment must be undertaken by a responsible person and a technical file compiled. Any information or instructions required on how to operate the gates should be made available. An EC declaration of conformity should be produced and the gates CE marked; one way of achieving this is to follow EN12635 from the outset of the project.

Where two or more employers and/or self-employed persons (such as contractors) are involved in work on the gates, there must be effective co-operation and co-ordination between work activities. Ensuring there is effective communication between different organisations will help ensure that hazards and associated risks from the various build phases are continuously identified and controlled.

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