

HAZARDS CAMPAIGN

How do we approach reviewing the Risk Assessments in the Workplace because of Covid-19?

Introduction

In protecting workers and stopping Covid-19 transmission in the workplace, there should clearly be [#nogoingback](#) unless there exists:

- agreed and comprehensive risk assessments,
- effective social distancing,
- suitable and sufficient PPE and welfare facilities and
- the right to refuse and
- protection from victimisation and detriment.

We can achieve this by eliminating and controlling the risks using the existing health and safety law and demanding enforcement.

If your employer recognises a trade union and the union has appointed a safety representative, your employer must consult the Safety Rep. If there is no recognised union, your employer must either consult you directly or, if a representative of employee safety has been elected, consult them or you directly.

The main health and safety law in the UK is the **Health and Safety at Work, etc. Act 1974 (HASWA)**. It is an enabling act under which more detailed health and safety Regulations, are made. It places duties mainly on employers. The law stresses that management must organise for health and safety and provide the people and resources that will make workplaces safe.

The risk assessment should be regularly reviewed to ensure that it is kept up to date to take into account any changes in your workplace such as this Covid-19 pandemic.

The Management of Health and Safety at Work Regulations 1999 (MHSW) set out what employers are required to do, in order to comply with their general duties under the HASWA. The absolute duty to undertake suitable and sufficient risk assessments underpins the whole framework of health and safety management. Employers must **conduct suitable and sufficient risk assessments** to identify hazards and evaluate risk, put effective controls in place to eliminate or reduce risks (according to the list of priorities set out in the Schedule to the Regulations) and manage the work process so it is safe, record the main points and review the assessment when necessary.

Risk assessments must be carried out by a '**competent**' person. Employers must establish procedures to be followed in emergencies and in serious and imminent danger, employees must be told about the risks and what action has been taken to protect them from the risks.

Also, that there are **legal duties for workers**. They must work in a safe manner and tell the employer if there is a serious and imminent danger or where they believe there is a short coming in the employer's protective arrangements.

Employers must also make specific account of **young workers, women of child-bearing age, new or expectant mothers** when assessing risks.

Safety Reps and Safety Committees Regulations 1977 (SRSC)

Employers have no option but to use risk assessments as the primary tool for identifying and controlling hazards and risks in the workplace and **safety reps should be involved in the process of risk assessment** from the start.

The SRSC regs are sometimes referred to as the 'brown book'. TU safety reps must be involved in the process and can: monitor that assessments are thorough and carried out by a 'competent' person, they contribute their knowledge and expertise, make sure everyone is involved, ensure all hazards are identified and risk evaluated, ensure control measures are appropriate to protect workers and others from the Covid-19, ensure that information is shared to everyone who needs to know and that the risk assessments(RA) are complied with and reviewed and updated as often as necessary.

What is a Risk Assessment?

The legal standard for risk assessment is 'suitable and sufficient' this means that all potential hazards have to be identified, the likelihood of harm evaluated and the level of risk estimated and measure to control the risks to 'as low as is reasonably practicable'. The HSE says that an assessment should be carried out before any work is done that 'presents a risk of injury or ill health'.

The risk assessment process is not complicated, it is an examination of the work and the workplaces to identify any hazards that could cause harm to people. The HSE, trade unions and the TUC all have examples. Risk assessments identify hazards that could cause both physical or mental harm. It is the employer's responsibility to carry out the risk assessment.

A hazard is something with the potential to cause harm or injury.

A risk is the likelihood of harm or injury arising from a hazard.

Employers should correctly and accurately identify hazards and potential hazards, determine the likelihood of injury or harm arising, quantify the severity of the consequences and the people who would be affected, take into account any existing control measures, identify any specific legal duty or requirement relating to the hazard, ensure assessments remain valid, provide sufficient information to enable control measures to be determined, prioritise remedial measures and then record the findings.

Risk Matrix

A risk matrix is used to calculate and prioritise the risk. This HSE risk matrix multiplies the likelihood of harm by the severity of harm and ranks the risks. These are somewhat subjective but should be agreed with the safety rep.

		Potential severity of harm		
		Slightly Harmful 1	Harmful 2	Extremely Harmful 3
Likelihood of harm occurring	Highly unlikely 1	Trivial 1	Tolerable 2	Moderate 3
	Unlikely 2	Tolerable 2	Moderate 4	Substantial 6
	Likely 3	Moderate 3	Substantial 6	Intolerable 9

After the risk matrix has been calculated and the risks prioritised, employers should use the hierarchy of control approach to eliminating the risk of Covid-19.

Hierarchy of Control

Employers are required to use the principles of prevention that adopt a hierarchy of control approach which are set out in Schedule 1 to the regulations. This means that first employers should consider how to avoid the risk altogether, if this is not possible then control the risk in the following order:

1. Elimination
2. Substitution
3. Engineering controls
4. Administrative controls
5. PPE

Example of a risk assessment form:

Organisation Name:

Date of Risk Assessment:

Name of person carrying out risk assessment:

Work activity/ work equipment being assessed:

What are the hazards?	Who might be harmed and how?	What is the Risk Matrix ranking of the risk?	What are you doing already?	Do you need to do anything else to control this risk?	Action by who?	Action by when?

Step by Step Approach to Risk Assessment

This step by step approach to risk assessment of the new risk of Covid-19, must take consideration the health and safety of those involved - managers and safety reps by ensuring social distancing (initially conducting any walk through when no one is about and remote reviews where appropriate).

1. To identify the hazards:
 - Walk around the workplace where possible
 - Map with dimensions, locating equipment
 - Observe work being done whilst maintaining social distancing
 - Speak to people doing the activity
 - Speak to those who maintain and clean the workplace
 - Think about the risks at different times of the day
 - Think about risks during different weather / times of year
 - Think about longer-term health risks
 - Check manufacturers' instructions/data sheets/safety systems
 - Look at accident and ill-health records
 - Check existing safe systems of work and review
 - Check ventilation maintenance against expert advice to reduce the spread of Covid-19 – no recirculation of air

- Check HSE and industry guidance and best practice
- All plant and equipment which have been closed during lock-down must be reviewed for safe operation and to identify new and existing hazards
- 2. Record all the hazards identified
- 3. For each hazard evaluate the risks and determine the controls by applying the hierarchy of control and using a precautionary approach
 - Who might be harmed and how:
 - Employees, visitors/members of the public, contractors, maintenance and servicing staff, childbearing or pregnant women or new mothers, children/young people, workers with disabilities, homeworkers, people sharing the workplace, BAME workers, young workers
 - How will the information be shared to all those who need to know?
 - Is specific training needed?
- 4. How will you check that the controls are in place and working effectively?
 - Are people doing what they are supposed to do?
 - Are the controls doing what you intend them to do?
 - Are risks being adequately controlled?
 - Do you need to change anything? – consider all the consequences of any change before implementing it

Risk Assessments

The Risk Assessment must consider every aspect of work processes where workers or public could be exposed to risk of transmission by air or by droplets on surfaces. Then develop safe systems of work to avoid that risk of exposure using the control hierarchy.

In consultation with Union safety Reps, develop new Covid-19 exposure risk assessments and safe systems of work, relevant policies and procedures to ensure the health and safety of the workforce, the public and others who might be affected by the work activities. All risk assessments reviewed and all work activities assessed and developed.

Start from a position of reducing the risk by home working, online meetings instead of face to face, and flexible working. Keep people away from potential infection wherever possible. We cannot determine the length of time it will be necessary to take additional precautions, there is no known vaccination and clearly until then, the aim is to reduce the spread of the disease. Any controls may have to be in place for months/years, so must be robust. All workers should have testing available to them, to determine whether they are a risk to others if they have been in contact with someone with the disease. There needs to be policies and procedures for workers self-isolating, protecting vulnerable family members, or taking sick leave or carers leave without any absence penalties. Also, all workers must be made aware of their legal rights to refuse work they feel exposes them to danger.

Checklist of issues to be addressed in a risk assessment to prevent covid-19 transmissions:	Complete
General:	
Check Risk Assessments have been updated and are available in writing (>5 workers) to all workers	
Check specific Government Covid-19 Guidance document relevant to your workplace / work	
All workplaces should increasing frequency of handwashing and surface cleaning	
All workplaces should make every reasonable effort to enable working from home as first option	
If working from home not possible every reasonable effort made to comply with social distancing guidelines of 2m	
1. Access:	
a. Reduce and control contact between:	
i. Worker and worker	
ii. Public and public	
iii. Worker and public	
b. Stagger start times	
c. Deliveries and pickups - how will they be reduced and controlled?	
d. Use of PPE in public areas for all – recommendation	
e. Implement alternative to fingerprint scanners	
f. Minimise unnecessary contact with security staff	
2. Cleaning/welfare:	
a. Handwashing facilities/sanitiser station	
b. Enhanced cleaning of all touch points	
c. Enhanced cleaning at end of day, regular cleaning during day etc.	
d. PPE availability, storage, guidance on use, disposal	
e. Cleaning stations to enable safe waste disposal	
f. Controlled use of toilet facilities to keep social distancing, including access and reducing safe system of flushing toilets with seats down to reduce aerosol spread of Covid-19 infection	
g. Controlled use of canteen/rest areas	
h. Staggered breaks	
i. Review of catering facilities and food preparation and distribution	
j. Review of first aid including update on training	
k. Isolation area identified	
l. Temporary removal or restriction on use of shared equipment	
m. Review of COSHH assessments for all cleaning chemicals and appropriate PPE	
n. No hot desking	
o. Undertake legionella checks	
p. Assign work equipment to fixed person	
3. Maintaining Social/physical Distancing:	
a. Review of all work activities to ensure social distancing	
b. Signage increased	
c. Route markings for one-way system around work premises?	
d. Supervisor enforcement	
e. Operation of lifts – reducing numbers individuals who need to use them	
f. Introduce screens/barriers	

g. Marking floors for work areas	
h. Close some workstations/desks	
i. Appropriate PPE for risks that cannot be eliminated or controlled to safe levels as a last resort	
j. Review transport arrangements	
k. Reduce number of individuals in vehicles	
l. Assign vehicles to fixed individuals / teams	
m. Assign workers to teams who rotate from home-working/on site	
n. Training on safe use and disposal of PPE	
4. Work areas	
a. No hot desking	
b. Desks, floors and signage to maintain social distancing	
c. Max number of people allowed in rooms	
d. Minimise number of people in workspaces	
5. Support for workers	
a. Review of stress risk assessments and mental health support	
b. Regular communications	
c. Is there any requirement for additional training or mentoring?	
d. Staffing levels/workloads need to be monitored and temporary replacement of workers who are sick or in self-isolation	
e. Workers self-isolating may need support to maintain skills, contacts, training and communication	
f. Homeworkers need equipment provided and DSE checks	
g. Review need for additional supervision/security in public areas	
h. Review of all lone-working	
i. Update inductions	
j. Review accommodation provisions for those living away from home near work site	
6. Emergency	
a. How will an emergency evacuation be carried out safely (maintaining social distancing at congregation points)	
b. Review and training of all emergency roles	
c. How will first aid be delivered safely? Additional training, procedures needed.	
d. Ensure integrity of all emergency exit routes	
7. RIDDOR Reporting	
a. Deaths of workers with Covid-19 who may have contracted the disease through work should be reported under RIDDOR	
b. Covid-19 illness should be reported under RIDDOR if the disease was likely to have been contracted through work	
8. Travelling safely to and from work	
a. Consideration needs to be made on safety of public transport, including use of PPE, changing and showering/cleansing facilities on arrival at work	
b. Availability of carparking for workers	
9. Occupational Health	
a. What health and medical support is in place?	
b. How will testing be carried out?	
c. Is there a facility to check temperatures?	
d. Systems to report symptoms / illness	
e. What about phased return to work for those off sick?	

10. Other issues – vulnerable workers taken from https://www.nhsemployers.org/covid19/health-safety-and-wellbeing/risk-assessments-for-staff	
a. Black, Asian and minority ethnic staff	
Emerging evidence that is currently being reviewed by Public Health England shows that black, Asian and minority ethnic (BAME) communities are disproportionately affected by COVID-19. This concerning evidence suggests that the impact may also be higher among men and those in the higher age brackets. The reasons for this are not yet fully understood, but the health inequalities present for BAME communities have long been recognised.... <i>and must be taken into account in risk assessments.</i>	
b. Age	
There is evidence that COVID-19 has a greater impact in older age groups. Therefore, older staff may be more at risk as a result of increased age and likelihood of long-term conditions. Employers will need to consider this and take into account government advice on vulnerable workers and shielding. All new staff should be encouraged to disclose any medical condition that might compromise their health.	
c. Disability	
Disabled staff ... likely to manage their disability through the application of reasonable adjustments. Some of these adjustments will be formally agreed and some informally adopted by staff to suit their own circumstances. It is likely the current situation of the COVID-19 pandemic will bring further challenges for disabled people at work. Some disabled staff members may have a weak immune system, leaving them more vulnerable to getting an infection. There may be issues associated with personal protective equipment (PPE) and those with a mental health condition may feel increased levels of anxiety and stress...	
d. Gender/ Sex	
There is some emerging evidence to suggest that COVID-19 may impact more on men than women, so employers may need to review the approach they have taken in relation to risk assessment (and deployment of returners <i>to NHS</i>). In certain jobs young women have been identified as at more risk.	
e. Pregnancy	
Pregnant women at whatever stage of pregnancy are classed as at risk. The Royal College of Obstetricians and Gynaecologists, Royal College of Midwives and Faculty of Occupational Medicine have developed specific guidance for healthcare workers who are pregnant. In addition, staff who are returning from maternity leave should be assessed against government advice.	
f. Religion or belief	
The current situation will coincide with religious events, most notably Ramadan, which will require staff to fast. This may have an impact on the ability of individual members of staff to perform their role fully, especially when wearing the highest levels of PPE...	
<i>Government advice on vulnerable workers and shielding should be followed and every effort made to encourage all staff to disclose any medical condition that might compromise their health. Individual risk assessments should include need for additional controls, self-isolating and flexible and alternative working arrangements and additional support.</i>	

Reporting an issue to the HSE or Local Authority Enforcement

Health and safety legislation in Great Britain is enforced by HSE or one of the over 380 local authorities depending on the main activity carried out at any particular premises. In general LAs are the main enforcing authority for retail, wholesale distribution and warehousing, hotel and catering premises, offices, and the consumer/leisure industries.

HSE Contact

<https://www.hse.gov.uk/contact/concerns.htm>

A union rep can report Covid-19 direct to the HSE using email:

union.covidconcerns@hse.gov.uk

Further Information:

- ❖ Hazards Campaign: 'We go back to work safely or not at all'
<http://www.hazardscampaign.org.uk/blog/hazards-campaign-we-go-back-to-work-safely-or-not-at-all>
- ❖ Professor Andrew Watterson Covid19 in the UK and occupational health and safety. Predictable but not inevitable failures what can we do now:
https://www.researchgate.net/publication/340502136_COVID_19_in_the_UK_and_occupational_health_and_safety_-_predictable_but_not_inevitable_failures_what_can_we_do_now_updated
- ❖ Hazards Magazine: <http://www.hazards.org/index.htm> Exposed Coronavirus issue 149
- ❖ Hazards Campaign: <http://www.hazardscampaign.org.uk/> Briefings, statements on CV19
- ❖ Brown Book <https://www.tuc.org.uk/sites/default/files/BrownBook2015.pdf>
- ❖ GMHC Safety reps short version: <http://www.hazardscampaign.org.uk/wp-content/uploads/2018/08/safetyrepstoolkit.pdf>
- ❖ TUC Risk Assessment: <https://www.tuc.org.uk/research-analysis/reports/risk-assessment-guide-safety-reps>
- ❖ TUC Preparing for return to work outside the home <https://www.tuc.org.uk/research-analysis/reports/preparing-return-work-outside-home-trade-union-approach>
- ❖ British Occupational Hygiene Society guidance on how to ensure a safe and healthy environment during the COVID-19 pandemic. <http://www.bohs.org/return-to-work-guidance/>
- ❖ Simon Hester ex-HSE officer film:
<https://www.facebook.com/108223534168406/videos/238630747546976/>
- ❖ Fast moving situation so keep up to date by following: Hazards Campaign on Twitter: @hazardscampaign @CentreGreater @hazardsmagazine
- ❖ Facebook: We didn't vote to die at work; Greater Manchester Hazards Campaign and Hazards Magazine
- ❖ email: info@hazardscampaign.org.uk