



DEBATE PACK

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Preventing serious injury and fatalities while working at height

By Bukky Balogun, Alex Adcock, Gloria Tyler

Summary

This House of Commons Library debate pack has been prepared in advance of a debate entitled "Preventing serious injury and fatalities while working at height". The subject was chosen by the Backbench Business Committee following an application by Alison Thewliss MP, Chair of the All-Party Parliamentary Group on Working at Height.

The debate will take place on Thursday 2 May 2019 in Westminster Hall, starting at 1.30 pm.

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The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

1. Background

Working at height can be a necessary feature of some work and presents many risks to those undertaking it. Work carried out at height is specifically governed by the *Work at Height Regulations 2005*, whilst the *Health and Safety at Work etc. Act 1974* provides the legislative framework for occupational health and safety in the UK. The All-Party Parliamentary Group (APPG) on Working at Height published a report¹ in February 2019. It provides discussion on the regulatory context, case studies of good practice and makes a number of recommendations with the view to provide further improvement in the height sector.

1.1 Regulatory overview

The [Health and Safety at Work etc. Act 1974](#) (as amended) covers occupational health and safety in Great Britain. Work carried out at height is specifically governed by the [Work at Height Regulations 2005](#) and applies to all work where there might be a risk of a fall liable to cause personal injury. The regulations apply in Great Britain and impose requirements on employers in relation to employees and other people working under the control of the employer.²

The Health and Safety Executive (HSE) publishes guidance for employers on the regulations: [Working at Height: a brief guide](#) (2014). Following the guidance is normally enough to comply with the regulations.³

1.2 Defining working at height

The [2005 Regulations](#) define working at height:

“work at height” means—

- (a) work in any place, including a place at or below ground level;
- (b) obtaining access to or egress from such place while at work, except by a staircase in a permanent workplace,

where, if measures required by these Regulations were not taken, a person could fall a distance liable to cause personal injury;⁴

The HSE [website](#)⁵ provides further explanation of working at height:

You are working at height if you:

- work above ground/floor level
- could fall from an edge, through an opening or fragile surface or

¹ [Staying alive: preventing serious injury and fatalities while working at height, All-Party Parliamentary Group on Working at Height](#), All-Party Parliamentary Group on working at height, February 2019

² Health and Safety at Work Handbook, 31st Edition, Tolley, 2019

³ [Work at Height: a brief guide](#), Health and Safety Executive, January 2014. [accessed 30 April 2019]

⁴ The Work at Height Regulations 2005, Regulation 2(1)

⁵ [Work at Height- Frequently asked questions](#), Health and Safety Executive, [accessed 30 April 2019]

- could fall from ground level into an opening in a floor or a hole in the ground

Work at height does not include a slip or a trip on the level, as a fall from height has to involve a fall from one level to a lower level, nor does it include walking up and down a permanent staircase in a building.

1.3 Falls from heights: statistics

The HSE publishes statistics relating to health and safety in Great Britain.⁶ They use a variety of data sources, including surveys and surveillance schemes.

The HSE publication, *RIDDOR: Reporting of Injuries, Diseases and Dangerous Occurrences Regulations*, is based on employer reports. It is thought that non-fatal injuries are considerably under-reported.⁷

In the year 2017/18 RIDDOR reported **a total of 35 fatal injuries resulting from falls from a height.**

Of these 35:

- **20 occurred within the construction industry - 57% of the total**
- 4 in transportation and storage
- and 3 in agriculture, forestry and fishing

There were 5,445 non-fatal injuries caused by falls from height in 2017/18. This was 8% of all non-fatal injuries at work.

Injuries and fatalities caused by falls from a height at work in Great Britain		
	Fatalities	Non-fatal injuries
2013/14	45	6,038
2014/15	42	6,165
2015/16	37	5,991
2016/17	27	5,257
2017/18	35	5,445

Source: Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)

⁶ HSE statisticians are members of the Government Statistical Service whose work is audited by the UK Statistics Authority and designated with the National Statistics quality standard.

⁷ See <http://www.hse.gov.uk/statistics/causinj/index.htm>

1.4 Reducing risk

The HSE states that working at height should be avoided where it is reasonably practicable to do so;⁸ and where it cannot, steps should be taken to minimise the associated risks. Where work at height cannot be easily avoided, falls should be prevented by using an existing place of work that is already safe, or the right type of equipment.⁹

The distance and consequences of a fall should be minimised by using the right type of equipment, where the risk cannot be eliminated.¹⁰ Collective protection such as guard rails, scissor lifts and tower scaffolds should be considered before personal protection, such as safety harnesses.¹¹

⁸ [Working at height](#). Health and Safety Executive, [accessed 26 April 2019]

⁹ [Working at height](#). Health and Safety Executive, [accessed 26 April 2019]

¹⁰ [Working at height](#). Health and Safety Executive, [accessed 26 April 2019]

¹¹ [Working at height](#). Health and Safety Executive, [accessed 26 April 2019]

2. The All-Party Parliamentary Group Report

The APPG on Working at Height consider that the number of serious injuries and fatalities from falls at height is too high.¹² The APPG, chaired by Alison Thewliss MP, investigated the causes of falls from height, with an aim to understand the effect they have on workers' lives, and how best to mitigate the risk of falls in the future. Their report, [Staying Alive: Preventing Serious Injury and Fatalities while Working at Height](#)¹³, was published in February 2019.

The APPG made a number of recommendations in the [report](#)¹⁴:

The introduction of enhanced reporting without an additional burden, through RIDDOR, which at a minimum, records the scale of a fall, the method used and the circumstances of the fall.

The appointment of an independent body that allows confidential, enhanced and digital reporting of all near misses and accidents that do not qualify for RIDDOR reporting. The data collected by this independent body will be shared with government and industry to inform health and safety policy.

The extension of the Working Well Together – Working Well at Height safety campaigns to industries outside of the construction sector.

An equivalent system to Scotland's Fatal Accident Inquiry process to be extended to the rest of the UK.

The creation of a digital technology strategy, to include a new tax relief for small, micro and sole traders, to enable them to invest in new technology.

A major review of work at height culture. This should include an investigation into the suitability of legally binding financial penalties in health and safety, funds which could be used towards raising awareness and training, particularly in hard to reach sectors.

¹² [Staying alive: preventing serious injury and fatalities while working at height, All-Party Parliamentary Group on Working at Height](#), All-Party Parliamentary Group on working at height, February 2019

¹³ [Staying alive: preventing serious injury and fatalities while working at height, All-Party Parliamentary Group on Working at Height](#), All-Party Parliamentary Group on working at height, February 2019

¹⁴ [Staying alive: preventing serious injury and fatalities while working at height, All-Party Parliamentary Group on Working at Height](#), All-Party Parliamentary Group on working at height, February 2019

3. Reporting accidents in the workplace

Accidents that occur in the workplace may be subject to reporting under the *Injuries, Diseases and Dangerous Occurrences Regulation 1995* (RIDDOR). For the purposes of RIDDOR, an accident is a separate, identifiable, unintended incident that causes physical injury¹⁵, for which many falls may qualify. RIDDOR stipulates that work-related accidents which result in death, or a specified injury need to be reported.¹⁶

These specified injuries are:

- (a) any bone fracture diagnosed by a registered medical practitioner, other than to a finger, thumb or toe;
- (b) amputation of an arm, hand, finger, thumb, leg, foot or toe;
- (c) any injury diagnosed by a registered medical practitioner as being likely to cause permanent blinding or reduction in sight in one or both eyes;
- (d) any crush injury to the head or torso causing damage to the brain or internal organs in the chest or abdomen;
- (e) any burn injury (including scalding) which—
 - (i) covers more than 10% of the whole body's total surface area; or
 - (ii) causes significant damage to the eyes, respiratory system or other vital organs;
- (f) any degree of scalping requiring hospital treatment;
- (g) loss of consciousness caused by head injury or asphyxia; or
- (h) any other injury arising from working in an enclosed space which—
 - (i) leads to hypothermia or heat-induced illness; or
 - (ii) requires resuscitation or admittance to hospital for more than 24 hours,¹⁷

The HSE provides [further guidance](#) about identifying which accidents require reporting.¹⁸

The substantial under-reporting of RIDDOR eligible accidents has long been a concern, with an estimated half of non-fatal injuries going unreported.¹⁹ A 2011 [independent review](#)²⁰ of health and safety legislation reported that companies were concerned that those who were acting responsibly and were reporting incidents were more likely

¹⁵ [Reporting accidents and incidents at work](#), Health and Safety Executive, October 2013

¹⁶ [Reporting accidents and incidents at work](#), Health and Safety Executive, October 2013

¹⁷ The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013, Regulation 4(1)

¹⁸ [Reporting accidents and incidents at work](#), Health and Safety Executive, October 2013

¹⁹ [Data sources](#), Health and Safety Executive, 31 October 2018

²⁰ [Reclaiming health and safety for all: An independent review of health and safety regulation](#), Professor Ragnar E Löfstedt, November 2011

to be visited by enforcing authorities than those who failed to report. Another concern amongst employers raised in this review was ambiguity regarding what to report, and perceptions that categories of reportable accidents were unnecessarily complicated.²¹ The HSE website [lists those within a workplace](#) who should submit a report via RIDDOR.²²

²¹ [Reclaiming health and safety for all: An independent review of health and safety regulation](#), Professor Ragnar E Löfstedt, November 2011

²² [Who should report?](#) Health and Safety Executive, [accessed 30 April 2019]

4. Press articles

Planning, BIM & Construction (PBC) Today, 14 February 2018

[The Work at Height Regulations: What you need to know](#)

PBC Today, 21 March 2018

[HSE statistics should remind us about the dangers of working at height](#)

The Ladder Association, 8 June 2018

[Newly formed APPG launches inquiry into workplace falls from height](#)

Construction Manager, 28 June 2018

[Work at height: MPs' chair Alison Thewliss on her inquiry's aims](#)

PBC Today, 26 February 2019

[Landmark report urges major review of work at height culture](#)

Access Industry Forum (AIF), 27 February 2019

[Staying Alive: APPG Launches its Report into Working at Height](#)

Industrial Rope Access Trade Association (IRATA), 28 February 2019

[Landmark Parliamentary Report Calls For Enhanced Reporting To Improve Work At Height Culture](#)

5. Parliamentary material

5.1 Parliamentary questions

[Industrial Health and Safety: Publicity](#)

Asked by: Hoban, Mark | **Party:** Conservative Party

To ask the Secretary of State for Work and Pensions how much was spent by the Health and Safety Executive on campaigns to raise awareness of the dangers of working at height in each of the last five years.

Answering member: McGuire, Anne | **Party:** Labour Party |

Department: Department for Work and Pensions

The Health and Safety Executive's (HSE) 'Height Aware' Campaign 2006 cost about £1.7 million including publicity, promotional events and evaluation of its effectiveness. In 2005 HSE ran some initiatives focusing on ladder safety costing around £17.500. HSE is currently building on these with the current 'Ladder Exchange' initiative, for which final costs are not yet available. A falls from height campaign specifically targeting those working in the construction sector was run in 2003-04, costing £275,000. These campaigns were aimed at reducing deaths and serious injuries arising from falls from ladders which cost the British economy more than £60 million a year.

HC Deb 17 July 2007 | PQ 148860 | 463 c207-8W

5.2 Debate

[Fatal Accidents \(Construction Industry\)](#)

HC Deb 16 May 2007 | Vol 460 c253-73WH

6. Further reading

All-Party Parliamentary Group on Working at Height

[Staying Alive: Preventing Serious Injury and Fatalities while Working at Height All-Party Parliamentary Group on Working at Height Inquiry report February 2019](#)

Health and Safety Executive guidance

- [Working at height](#)
- [The law](#)

Work at Height Regulations 2005

The purpose of [The Work at Height Regulations 2005](#) is to prevent death and injury caused by a fall from height. If you are an employer or you control work at height (for example facilities managers or building owners who may contract others to work at height) the Regulations apply to you.

Employers and those in control of any work at height activity must make sure work is properly planned, supervised and carried out by competent people. This includes using the right type of equipment for working at height. Low-risk, relatively straightforward tasks will require less effort when it comes to planning.

Employers and those in control must first assess the risks.

Employees have general legal duties to take reasonable care of themselves and others who may be affected by their actions, and to co-operate with their employer to enable their health and safety duties and requirements to be complied with.

HSE have produced guidance to help you comply with the law, see [Working at height: A brief guide](#) for more information.

[Safe use of ladders and stepladders - A brief guide](#)

[Step-by-step guide](#)

- [Kinds of accident statistics in Great Britain, 2018](#)
- Data up to March 2018

Almost half of the fatal injuries to workers over the last five years were accounted for by just two different accident kinds – falls from a height and being struck by a moving vehicle.

– Falls from a height accounted for 26% of all fatal injuries (an average of 37 fatal injuries per year).

- Half of all fall from height deaths over the last five years were in the construction sector (annual average 19 per year).

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