



Lone Working

A guide for safety representatives

November 2009

The HSE says lone workers are “those who work by themselves without close or direct supervision”. A huge number of jobs can require people to be left alone and isolated. Many of the hazards that lone workers face are similar to those faced by other workers. However, the risks involved may be greater because the worker is on their own. Working on your own can also be more dangerous and some groups such as health, postal, security, and the emergency services are frequently attacked. In retail where lone working is common, especially in small “corner shops”, industry figures show that 20,000 shopworkers are physically attacked each year and an even greater number are exposed to threats of violence and verbal abuse.

In the 2008 TUC safety representatives survey, working alone was the sixth main hazard of concern for safety representatives. The main sectors where working alone was given by safety representatives as a major hazard were:

- Health services (48 per cent)
- Banking and Finance (45 per cent)
- Voluntary sector (42 per cent)
- Local government (41 per cent)
- Transport and communications (37 per cent)
- Construction (36 per cent)

The Legal position

There is no specific law dealing with lone working. However, all health and safety legislation applies equally to lone workers and in some cases, is even more applicable. Unfortunately employers often forget their responsibilities to lone workers, in particular in respect of issues such as risk assessment, welfare provision, recording of injuries, first aid provision and consultation.

The following laws or regulations are particularly important when considering the position of lone workers:

The Health and Safety at Work etc. Act 1974 places general duties of employers and employees under Sections 2–9. Generally, the employer has a duty to ensure the health, safety and welfare of employees. The requirements regarding safe systems of work, health and safety policies, information, training and instruction, and a safe working environment are particularly important.

The Management of Health and Safety at Work Regulations 1999 require employers to make suitable and sufficient assessments of risks to their employees. They must also make arrangements for the health and safety of employees by effective planning, organisation, control, monitoring and review. If the risk assessment shows that it is not possible for the work to be done safely by a lone worker, then other arrangements should be put in place.

The Workplace (Health, Safety and Welfare) Regulations 1992 cover issues such as temperature access to toilets, water and other welfare issues. They do not only apply to indoor workers.

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 states employers must notify their enforcing authority in the event of an accident at work to any employee resulting in death, major injury or incapacity for normal work for three or more days. This includes any act of violence done to a person at work

Safety Representatives and Safety Committees Regulations 1977 require employers to consult with their workforce, either directly or through safety representatives.

The Health and Safety (First Aid) Regulations 1981 require the employer to provide access to First Aid.

Risk Assessment

Often the risks faced by lone workers will be the same as for other workers but also they may face increased or additional risk from:

- Fire
- Inadequate provision of rest, hygiene, and welfare facilities
- Violence and abuse from members of the public
- Theft/intruders
- Sudden illness/emergencies.
- Effects of social isolation
- Risks related to driving
- Lack of supervision and training.

However employers should not make presumptions. The TUC believes that the protection of lone workers must start with a full risk assessment of the work that lone workers do. Too many employers either think that lone workers are covered by the same policies that apply to other employees or they believe that the only problem facing lone workers who work in the community is violence. While the threat of violence is very important this is unlikely to be the only risk, or even necessarily the main one.

The HSE, in its guidance on lone working, stresses that the risks must be assessed and controlled and says that employers of lone workers should:

- involve staff or their representatives when undertaking the required risk assessment process;
- take steps to check control measures are in place (examples of control measures include instruction, training, supervision and issuing protective equipment);
- review risk assessments annually or, as few workplaces stay the same, when there has been a significant change in working practice;
- when a risk assessment shows it is not possible for the work to be conducted safely by a lone worker, address that risk by, for example, making arrangements to provide help or back-up; and
- where a lone worker is working at another employer's workplace, that employer should inform the lone worker's employer of any risks and the required control measures.

Risk assessment should help employers decide on the right level of supervision.

The guidance goes on to say that there are some high-risk activities where at least one other person may need to be present. These include some electrical work and work in high-risk confined spaces.

The guidance also makes it very clear that “employers are required to consult their workforce on health and safety matters. It is important to talk to employees and their safety representatives, as they can be a valuable source of information and advice. Effective consultation will also help to ensure that all relevant hazards are identified, and appropriate and proportionate control measures are chosen.”

Employers often use a standard checklist and assess the physical environment, but not the actual work. The risk assessment must be based on real risks, by using all available information including details from the accident book and consulting with safety representatives.

Although risk assessments for some of the work that lone workers do can be carried out on a generic basis, it is not just the actual work but also the working environment which must be considered. A telephone engineer may be more likely to fall when working in an exposed, windy location. In addition the severity of an injury may be increased by delays in emergency treatment. A generic risk assessment should be regarded only as a starting point for tasks being done by a lone worker

Many people working away from a central base may spend long periods driving alone as part of their work activities. The main risk for drivers working alone is breaking down in an isolated area. This risk could be increased by employers expecting staff to use their own vehicles where there may be a possibility that the vehicle has not been maintained for a high mileage.

Example

A new estate agent had to use her own car for work, although senior staff were provided with a staff car. On several occasions the vehicle broke down on country roads with no mobile phone coverage. Although the employer paid a car allowance this did not cover maintenance. The worker was on a very low salary and drove a second hand car which was poorly maintained. The employer took no responsibility for this and at the end of her probationary period her contract was not extended.

Dynamic Risk Assessment

Some employers have started introducing what are called “dynamic risk assessments” for lone working situations. This is a process where workers themselves have to make operational decisions based on risks which cannot necessarily be foreseen. It covers risks which may arise such as if there is a hostile dog or a person in a clients home who is under the influence of drink or drugs and abusive. Dynamic risk assessments are not a substitute for a comprehensive risk assessment but in some cases it is not always possible to identify all hazards relating to a role where the working environment is outside the employers control. However it is not an excuse for employers to transfer responsibility to the worker

and most risks CAN be pre-empted.

Where a risk assessment identifies circumstances where a lone worker may have to undertake a dynamic risk assessment they must receive proper training on what to do. They must also get support for their decisions.

Example

A paramedic was working alone. He was sent to deal with an emergency, which on the information available, was probably an unconscious drug addict in a derelict building at a location where crime was rife. No back up was provided and despite the worker expressing misgivings about the situation he was instructed to proceed. He was attacked and was unable to continue working as a result. It went to court and the court judgment included the following statement: “the final decision on whether to ‘go in’ must rest with the paramedic who is after all the one who has to take the risk with his or her own safety.”

However in most cases risks that some employers see as “unavoidable” can be foreseen and prevented. The threat of violence can be considerably reduced simply by having another person present. Often information about potential risks is not shared between agencies. Many employers claim that they cannot share information about such matters as a history of threatening or violent behaviour because of the Data protection Act. This is not true. The Information Commissioner has given detailed advice which makes it clear that agencies can and should share information that may help protect workers and recommends the use of “warning markers” to highlight any possible risks.

In addition, where the lone worker is providing a service such as social care or a health service, clients need to be clear about their responsibilities and any behaviour that poses a risk to an employee is not acceptable.

Violence

When a risk assessment shows that there is a possible risk of violence, an employer’s first line of response is often to introduce personal alarms, walkie-talkies etc. In some cases they provide no training on how to use them, and provide no back up maintenance. As a result when a worker does have to use a personal alarm they may find the battery is flat. Alarms and communication devices must therefore be checked regularly.

However alarms and walkie-talkies are not a replacement for prevention. Violence can often be prevented by looking at systems of work, the workplace or staffing levels. Simple moves such as having people work in pairs can have a dramatic effect on the risk of violence. Zero tolerance policies and campaigns aimed at making it clear to clients/customers that violence and harassment is both unacceptable and illegal can also help.

In some cases, such as drivers with a valuable cargo, tracking systems may also help but staff can be distrustful of employers’ motives and there are several cases where such systems have been introduced under the guise of trying to protect workers but have then been used as a form of surveillance.

Example

Staff in betting shops are often subject to violence. This occurs not only as a result of robberies but also because of abuse and threats by customers. Their union has been running a campaign aimed at preventing this. Their demands include

- *No lone person working under any circumstances*
- *Safe mechanisms for banking and cash in transit*
- *Thorough reporting/recording of assaults, theft and anti social behaviour in and around the premises*
- *CCTV, MAG locks and panic alarms in every shop and appropriate lighting outside every shop*
- *Posters warning against anti-social behaviour*
- *Rigorous training of staff to deal with conflict resolution*
- *New, tighter risk assessments now that shops are open until 10pm in the winter*

Working in remote areas

Where a worker is going to be working or travelling through a remote area where there may be little access to services, and there may be no mobile phone signal this must be reflected in the risk assessment and steps taken to reduce the risk and ensure that the workers have access to welfare and other facilities.

Steps the employer should take must include:

- There should be a safe means of travel to and from the workplace/ premises – including when working out of hours
- There should be procedures to assess time it will take to do the work and how frequently the employee should report in and what will happen if they don't
- The employee must have access to toilets, rest, refreshment, and first aid equipment
- There needs to be a policy and procedures for reporting and responding to emergencies
- There must be consideration to the ease with which emergency services are able to reach the isolated area easily and safely without hindrance.

Home working

Home working is usually a form of lone working but, in addition to the usual risks, it raises several other issues that employers need to address. Home working is not the same as working in an office and individuals often report feeling isolated. While home working suits some people, who prefer the flexibility and control it gives them, employers have to be aware of the potential difficulties that home working can cause. They also have to fulfil their legal duties, including risk assessment and consultation.

There is some disagreement on whether the employer has to do an individual risk assessment in a person's home or whether a general risk assessment is enough. In part it will depend on the nature of the work. The HSE states "It may be necessary for employers to visit their homeworkers to carry out a risk assessment, although

homeworkers can also help in identifying the hazards for their employers. Small hazards should not be ignored as they may result in harm, for example keeping potentially harmful substances out of children's reach.”

However regulations such as Display Screen Equipment regulations do apply and if the work involves using a computer, the employer must do an ergonomic assessment of the workplace and ensure that the worker has a proper chair and that the computer is set up properly. There is also a requirement for regular eye-testing. Unfortunately very few home workers are given training on safety issues such as manual handling, and do not know how to report any injuries or illnesses, or how to access first aid.

Example

A keyboard operator who works from home has her work delivered by post and she e-mails it back. The employer issued her with a computer but not seating or a desk. She usually worked in the kitchen and ended up with severe backache. She was given no ergonomic assessment, no advice on set-up, seating, posture, breaks etc.

What can safety representatives do?

There are a number of positive steps that safety representatives can take to raise awareness and tackle problems with lone working.

Membership awareness

Use posters and leaflets to bring up the issue of lone working with members and take the opportunity of discussing it with them to see if they think that there are any problems. Safety representatives should report their concerns and those of their members to management in writing.

Encourage reporting

Many problems faced by lone workers go unreported, in particular violence or threats of violence. Unions can encourage members to report any incidents and ensure they are acted on by management.

Surveys and inspections

Safety representatives could conduct a survey to find out whether lone working is a problem in the workplace. Safety representatives can also use their routine inspections or undertake special inspections to speak to members about lone working.

Lone working policy and procedures

Safety representatives can negotiate with employers to produce jointly agreed policy and procedures to tackle problems associated with lone working. Some of the key points include:

Working alone on site

Simple guidelines would involve:

- agreed reporting lines for lone workers on site
- a signing-in procedure
- induction sessions for the worker (covering items such as access, welfare

facilities, accident reporting, first-aid arrangements and emergency procedures)

- explaining risk assessments and protective and preventive measures
- agreeing arrangements for the provision of work equipment

Working away from base

If the work involves a visit to another workplace, preventive measures would generally be the responsibility of the employer in control of that workplace, although the employee's own employer also has responsibilities too.

Particular problems for lone workers working away from their base include:

- transport
- supervision
- communication
- accident procedures
- work equipment

More information

TUC pages on Lone Working: <http://www.tuc.org.uk/loneworking>

TUC Checklist on Lone Working

http://www.tuc.org.uk/h_and_s/loneworkingchecklist.pdf

HSE guidance on lone working: www.hse.gov.uk/pubns/indg73.pdf

The HSE also has advice on homeworking at:

<http://www.hse.gov.uk/pubns/indg226.pdf>

Many individual unions have prepared guidance on lone working. Please check your union website. An example is that produced by the Community and District Nursing Association: <http://www.cdnaonline.org/images/loneworker.pdf>