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**Assessor:** Alan Turner MSc MCIEH FRSH Chartered Environmental Health Practitioner  
38 Fairways Drive Blackwell Bromsgrove Worcestershire B60 1BB  
T: 0121 445 3190 M: 07736180390 E: threeeightconsultancy@yahoo.co.uk  
Member of Member of the Occupational Safety and Health Consultants Register (OSHCR)  
www.threeeightconsultancy.com

**Date of Report: 22<sup>nd</sup> November 2012**

### Summary

Rowney Green Village Hall was the subject of major refurbishment and extension work following the securing of lottery funding to provide a community based centre, with the work being completed in about spring 2010. The premises are hired by a variety of variety of users either through the day or in the evening. In addition there can be ad-hoc events, for example wedding receptions. This assessment has been based on the HSE guidance relating to such premises and the clear message of offering a sensible and balanced approach as to what occurs within these premises and the risks that can be anticipated and to identify the responses needed by the management committee.

Issues that need additional consideration have been highlighted. It needs to be stressed that the premises present very low risk overall and those issues raised need to be viewed in that context.

There is a dedicated management committee in place, which actively seeks to control and manage the risks at these premises and in so doing will help maintain a safe and sustainable community based centre for the future.

### Village and community halls - legal responsibilities

An organisation staffed entirely by volunteers may still have duties under health and safety law if it has responsibilities for non-domestic premises (such as a village hall).

Anyone with control of non-domestic premises (such as a hall) has legal responsibilities under health and safety law to take reasonable measures to ensure the hall, access to it and any equipment or substances provided are safe for people using it, so far as is reasonably practicable.

Responsibility for the operation and maintenance of the hall may be organised by the owner or by a voluntary management committee.

➤ **The term reasonably practicable**

The law does not expect employers to eliminate all risk, but they are required to protect people as far as 'reasonably practicable'. This means balancing the level of risk against the measures needed to control the risk in terms of money, time or trouble.

➤ **The owner**

The owner, for example a community association, charitable trust, or local authority, is likely to have health and safety duties (and fire safety duties) for those who use the hall where they still have control over it. For example, they should keep it in good repair, and have appropriate fire precautions in place.

➤ **The management committee**

A management committee can be regarded as a legal entity under health and safety law, even if it doesn't employ anyone and is only made up of volunteers.

It has no responsibility under the Health and Safety at Work Act for risks created by the work activity of others, such as those maintaining the building, or for the activities organised by those who use the hall.

*However, where a management committee has control over the hall, they should take reasonable measures to ensure the hall, and any equipment or substances provided there, are safe for the purposes visitors are expected to use them for.*

*Where more than one person or organisation has control over a building, they will all have joint responsibility for it.*

➤ **The user**

Users have responsibility for managing risks, so far as reasonably practicable, arising from their own activities when they have control of premises or control of equipment on the premises.

If the user has at least one employee *they will also have wider duties under health and safety law.*

### **How do civil law and health and safety law apply?**

To clarify the differences between the two types of law and how health and safety law applies to voluntary organisations.

➤ **Civil law and the duty of care**

Under the common law, voluntary organisations and individual volunteers have a duty of care to each other and others who may be affected by their activities. Where something goes wrong, individuals may, in some cases, sue for damages using the civil law if they are injured as a result of another person's negligence.

But, for a negligence claim to succeed, the injured person must show that the defendant had a duty to take reasonable care towards them, and they have suffered the injury through a breach of that duty. The injured person must also show that the type of loss or injury for which damages are being claimed was a foreseeable result of the breach of the duty.

Liability in individual case is a matter for the courts, depending on all the circumstances of the case and the actions and standards it is reasonable to expect from each of the parties involved. If the court decides that a particular claim does not have merit, then it will reject it. It can also reduce any damages awarded to reflect the extent of any contributory negligence on the part of the injured person.

### ➤ **Health and safety law**

The Health and Safety at Work etc Act 1974 (HSW Act) is criminal law aimed at protecting employees and others who may be affected by work activities. It is enforced mainly by HSE and local authorities.

Health and safety legislation does not, in general, impose duties upon someone who is not an employer, self-employed or an employee.

*It is not possible to sue for damages under the HSW Act itself although a breach of health and safety regulations may be cited as part of a civil claim for compensation based on a breach of statutory duty.*

HSE and local authority health and safety officers have no power to investigate incidents or pursue enforcement action in relation to most purely voluntary activities (subject to limited exceptions such as where a volunteer is in control of non-domestic premises).

### ➤ **When health and safety law applies**

The HSW Act and the regulations made under it apply if any organisation, including a voluntary organisation, has at least one employee. The Act refers to employers and the self-employed as 'duty-holders'.

The HSW Act sets out the general duties that employers have towards employees. It also requires employers and the self-employed to protect people other than those at work (e.g. members of the public, volunteers, clients and customers) from risks to their health and safety arising out of, or in connection with, their work activities.

### ➤ **Risk assessments for low-risk activities**

An employer's legal duty to do a risk assessment is one that often causes concern. This isn't about creating huge amounts of paperwork but rather it's about identifying sensible and proportionate measures to control the risks.

These organisations will normally know what to do, which will be based on their experience and knowledge. They will appreciate the need for volunteers to have appropriate levels of information, training and protective equipment so activities can be carried out safely and without harming health.

The preventive and protective measures should reflect the actual risks that employees and volunteers face in their respective roles. So a volunteer might reasonably expect similar protection to a paid colleague who does the same type of activity.

Summary Risk Assessment		Comment	Further action needed	By Whom
<b>1. Car park</b>	1.1 Is the car park surface maintained to minimise slip and trip risks?	Car park well maintained with disabled parking spaces clearly identified	On going maintenance	RGC
	1.2 Are vehicle and pedestrian routes/flows and car park and site entrance/exits clearly marked?	Some parking spaces indentified to the front partly to the side - the rest is unmarked.	Consider increased marking of car park to eliminate confusion and over crowding as well as allowing emergency vehicle access at all times	RGC
	1.3 Is the car park well lit?	Yes – need to ensure that lighting is maintained especially during winter months as there is a ‘heavy’ demand for the hall during evenings	On going maintenance	RGC
	1.4 Can emergency vehicles gain access?	Yes – good access to front and rear of building - but see caveat above	See 1.2 above	RGC
<b>2. Movement around the building</b>	2.1 Are paths, steps and any ramps to and from the hall properly maintained to minimise slip and trip risks?	Yes – ramps to hall in good condition with hand rails, except the ramp leading onto small play area.	RGC The ramp to the play group play area has a small drop on the one side. All other ramps have guard rails.	RGC Play group
	2.2 Is lighting suitable and sufficient to allow safe access and exit (including lighting of emergency exits)?	External lighting in place and over all exits.	On going maintenance. It is important that the car park is well illuminated at night top ensure safe pedestrian movement	RGC
	2.3 Is the building provided matting to minimise rainwater etc being carried into the building?	Yes – all entrances matted as necessary	Review during bad weather e.g. snow and ice especially when the hall may be at capacity and exiting arrangements are not sufficient	RGC
	2.4 Do rooms and corridors have sufficient lighting?	Yes	Keep under regular review and maintenance	RGC
	2.5 Are corridors clear of clutter?	Yes – maintained in an excellent condition when visited. Clear housekeeping rules are in place for hirers to observe	Review on regular basis	RGC Users
	2.6 Are there any trailing electrical leads/cables?	None across hall floors but some behind stage	Ensure wiring is kept out from	RGC

		in particular in respect of stage lighting etc.	walkways; use cable ties etc. Hirers to be made aware of keeping back of stage safe and without risk during and after use	Theatre Groups and other stage users
	2.7 Are permanent fixtures in good condition, e.g. seats, shelving, cupboards, notice boards, signage etc?	Newly built so all fixture etc in good condition	Review on a regular basis	RGC
	2.8 Is internal flooring in good condition, e.g. are carpets fixed?	Yes	Keep under regular review	RGC
	2.9 Where any doors contain glass, is this made from a safety material?	Yes	No – other than repairs replaced with glass of requisite standards	RGC
	2.10 Are all stairs fitted with handrails?	Loft ladders which have side rails	Keep under review	RGC
<b>3. Electrical equipment and services</b>	3.1 Fixed electrical installations: Are they correctly installed, modified or repaired, then inspected and tested by an electrician or other suitably qualified person before being put into use? Are they inspected and tested at suitable (occasional) intervals by an electrician or other suitably qualified person?	Yes – maintenance contracts in place and certificates available for inspection	Keep under review Fixed wiring should be inspected on a 5 yearly basis by competent person/s for example NICEIC	RGC
	3.2 If you own or hire any portable or fixed electrical equipment (e.g. a cooker or vacuum cleaner etc): Has it been visually checked and, where necessary, tested at suitable (occasional) intervals to ensure that it is safe to use?	All portable equipment tested and labelled	Make sure portable appliances are tested periodically reflecting their use. Visual inspections should be done before use. Any electrical work undertaken by competent persons	RGC
	3.3 Has any damaged electrical equipment been taken out of service or replaced?	All equipment serviceable. Any equipment owned by village hall would be taken out of use	Keep under review	RGC
<b>4. Gas equipment and services</b>	4.1 If fixed gas appliances are available for use (e.g. a boiler, cooker, water heater), are arrangements in place for periodic examinations and any remedial action by a Gas Safe registered engineer?	Gas boiler in kitchen	Ensure servicing by Gas Safe engineer as recommended	RGC
	4.2 If mobile gas appliances are available for use (e.g. heaters fuelled by bottled gas), are arrangements for periodic examinations and any remedial action by a competent person in place?	n/a	n/a	n/a
<b>5. LPG (liquefied)</b>	5.1 If there is an externally sited LPG installation with a storage vessel:	n/a	n/a	n/a

<b>petroleum gas)</b>	Is the area around the vessel kept clear? If it is near a road, is it protected from passing traffic? Have pipes carrying the LPG to the hall been checked to ensure that they are in good condition?			
<b>6. Asbestos</b>	6.1 Does the hall contain any asbestos?	Extensive rebuild work undertaken. Only asbestos remaining is the cladding above the stage. The asbestos is in sound condition, suitably labelled and controlled.	RGC Ensure that any contractor likely to work on the asbestos is informed so that appropriate safety precautions can be taken	RGC
	6.2 If there is asbestos, and it is in good condition, has a record been made of where it is? Are there arrangements to provide this information to anyone who carries out maintenance work on the building?	Yes	See 6.1 above	RGC
	6.3 Is there a system in place (e.g. fixed warning signs) to ensure the asbestos is not disturbed, and are regular checks made to ensure it remains undisturbed and in good condition?	Yes	See 6.1 above	RGC
	6.4 If damaged asbestos has been identified, have arrangements been made to ensure it is either repaired, encapsulated or removed? (The majority of work on asbestos must be carried out by a licensed contractor unless the asbestos fibres in the material are so well-bound-in that the work is lower risk and can be done by a contractor who is not licensed by HSE.)	n/a	See 6.1 above	RGC
	6.5 Have records of any asbestos been kept so that asbestos material likely to release high fibre levels can be removed first by licensed contractors if the hall is refurbished and/or demolished?	Yes	See 6.1 above	RGC
<b>7. Fire</b>	7.1 Has a fire risk assessment been completed and are adequate fire safety measures in place?	Yes by John Bates M.I.Fire.E MIIRSM MIFSM JR Associates FRA is a robust assessment undertaken when the premise were nearing completion.	A number of items were identified under significant findings and these need to be confirmed as being addressed. It cannot be stressed enough that users/hirers of the hall know the evacuation procedure. The fire assembly point would be better placed away from the building and possibly on the wall near the steps	RGC

			leading from the main road footpath	
	7.2 Has an evacuation plan been implemented and tested?	Evacuation procedure in place and part of Hall hire agreement to nominate a responsible person	Needs to be addressed by each group using the hall	RGC User Groups
	7.3 Is the fire alarm tested regularly?	Log book to be maintained by Hall Committee	Each fire alarm point needs to be tested on a rota basis – weekly	RGC
	7.4 Are fire drills carried out at least once a year?	Fire drill would have to be the responsibility of each user group. Part of Hall hire agreement to nominate a responsible person	Needs to be addressed by each group using the hall	User Groups
	7.5 Are regular checks made to ensure escape routes and fire exit doors are: ➤ unobstructed; and adequate and ➤ effective for the number of people using the hall (including those who are disabled or vulnerable)?		Periodic inspection needed	RGC
	7.6 Are combustible substances or waste stored safely?	See the FRA about theatre groups storing material in loft space	All	All
	7.7 Is fire-fighting equipment in place and tested regularly in line with the manufacturer's guidance?	Periodic service and testing in place	Annually servicing of fire extinguishers needed	RGC
	7.8 Are persons trained in how to use it?	Signs in place – but no one trained	Each user group would need to make their own arrangements	User Groups
<b>8. Legionnaires' disease</b>	8.1 Is there anything that involves spraying/sprayed water (e.g. using showers in changing rooms, or a humidifier) that could contain legionella bacteria? (These bacteria can cause legionnaires' disease.)	No	n/a	n/a
	8.2 If you cannot avoid spraying water, do you have an up-to-date plan for dealing with this risk?	n/a	n/a	n/a
	8.3 Is it clear who is responsible for doing things in the plan and do they keep a record of any checks (e.g. temperature checks)?	n/a	n/a	n/a
<b>9. Work at height</b>	9.1 Does any activity involve work at height?	Yes – general maintenance Access and movement of goods from loft/mezzanine floor Roof work	1. Any stepladders should be regularly inspected for faults. 2. The loft access points are unprotected. The access points need to be 'barriered off' to prevent falls. Similarly the double doors leading on to the stage must be locked when not	RGC Theatre Groups

			<p>is use. Those using the 'teagle opening' must have a safe system in place for the movement of props etc between stage and loft storage</p> <p>RGC need to address the loft hatch protection, but conversation needs to happen with theatre groups to ensure that what is in place will work for them as well.</p> <p>3. Any roof work to be undertaken by competent contractors ensuring they provide method statement that will account for an work at height to be undertaken</p>	
<b>10. Responsibility</b>	Do users have all the information about the hall they need to operate safely?	User information pack in place Information available as down loads from web site	To be kept under review	RGC