AN AWARENESS GUIDE FOR CONSTRUCTION COMPANIES AND CLIENTS

Slips and trips are the most common cause of workplace accidents. They affect just about every industry sector, workplace and occupation. This is no less so in the construction sector, where trips in particular are the most common cause of reported injuries to the Health and Safety Executive (HSE).

INTRODUCTION

At Zurich, slip and trip incidents account for 21% of all the liability claims we handle, with 95% of major slips and trips resulting in broken bones – although other injuries can result.

Whilst the hazards that cause slips and trips are common place on many sites, they are frequently overlooked despite the fact that they are relatively simple to prevent. That is not to say that there aren’t challenges in managing them. The very nature of construction work (e.g. types of activity, subcontracting arrangements, turnover in site trades and staffing etc.) requires a concerted effort to control these hazards properly. Where this is ineffective, prosecution and other enforcement action by the HSE can result including the recovery of their costs under the Fee for Intervention scheme.

It is also clear that slips and trips are a major source of claims, not only under Employers’ Liability but also under Public Liability where third parties (including subcontractors, visitors and members of the public) are injured. In this instance, it is particularly difficult identifying responsibility for poor site conditions or the presence of a slip and trip hazard. As a result, responsibility is frequently attributed to the contractor in charge of the site.

ABOUT SLIPS AND TRIPS DURING CONSTRUCTION WORK

On construction sites, most slips and trips occur on access routes and walkways as well as on working platforms. These can result from:

- uneven surfaces (e.g. those on scaffolds where boards have been incorrectly overlaid)
- changes in level particularly where these are sudden or steps and gradients are irregular
- wet or slippery surfaces including those on vehicles and access equipment
- poor housekeeping (e.g. as a result of poorly stored materials, incorrectly sited work equipment or the build-up of waste materials and packaging)
- trailing hoses and electrical leads
- difficult access considerations as a result of construction tasks e.g. laying steel reinforcing bar in concrete construction.

A number of other factors can contribute to these accidents. These include the condition of access routes and walkways (e.g. where they have become damaged or worn); site layout (e.g. where this might create restricted visibility); temporary access arrangements (e.g. perhaps where floor components
are removed or access is restricted); the nature of construction tasks being carried out (e.g. where manual handling tasks are involved); poor lighting; inappropriate footwear and the effects of weather (e.g. rain, snow and ice).

Preventing slips and trips on construction sites is dependent on identifying the necessary precautions and ensuring that they are properly implemented. Whilst many of these precautions may be straightforward, the nature and extent of the arrangements to ensure that they are put in place and remain effectively deployed can be more complex. The extent of these arrangements will be dependent upon the size of the project; the nature of the construction work being completed; the number of parties involved and so on. In many cases, effective planning of site activities; the co-ordination of various construction tasks; effective communication and the exchange of relevant information between parties; appropriate consultation and the involvement of all those involved with the work on site will be necessary.

Preventing slips and trips during construction work is also complicated by its nature. Site characteristics (e.g. locations) vary considerably and can change from day to day. Much of the work is dynamic in nature and site conditions can change on an hourly basis. Several contractors may be involved in the delivery of the work at one site, carrying out different but complimentary tasks. Work can involve any number of site operatives – from several hundred to just a few – having different levels of understanding, training and supervision when it comes to health and safety. These operatives can move from site to site each day, further complicating the approach to managing health and safety.

Recognising this, implementing a proportionate and structured approach to managing health and safety for construction work will help not only to prevent slips and trips, but will also ensure that other construction hazards are properly controlled (e.g. exposure to noise, vibration and hazardous substances; the correct use of work equipment, vehicles and access equipment etc.). This is not only a legal requirement1 for many, but is essential in preventing accidents and ill-health during construction work. Employers are required to make appropriate arrangements to ensure the effective planning, organising, controlling, monitoring and review of any preventive and protective measures that are put in place. Again, the extent of these arrangements will be determined by the size and nature of the organisation and the work they carry out.

At the heart of this structured approach is effective risk assessment. General risk assessment has been a statutory requirement for over twenty years in the construction sector. Done properly, these risk assessments are the cornerstone of a structured, effective and transparent management approach to the control of construction health and safety hazards. Under the requirements1, most organisations are required to complete them to identify the precautions they need to take to comply with the law. Where they employ five or more employees, the risk assessments must be recorded. Of course, risk assessments won’t prevent accidents and ill-health on their own, but if used as a first step to develop appropriate performance standards and safe systems of work, then significant steps can be taken to prevent them. Similarly, when faced with a claim, being able to provide evidence of a ‘suitable and sufficient’ risk assessment is just one element of a defence – albeit an important one.

**WHAT NEEDS TO BE DONE**

Whilst the general requirements of the Health and Safety at Work etc. Act and the Management of Health and Safety at Work Regulations apply to construction work, more specific duties relating to the prevention of slips and trips are contained in the Construction (Design and Management) Regulations2 - CDM.

Under CDM, all those controlling site work have ‘general’ health and safety responsibilities and these extend to preventing slips and trips (see CDM, Part 2). In practical terms, this may involve:

- planning, managing and monitoring the safe storage of materials or provision of suitable walkways during the construction work
- co-operation or co-ordination with others to ensure that good housekeeping standards are achieved and maintained
- checking that working conditions are safe before work begins and ensuring that the proposed work is not going to put others at risk
- providing workers under their control with any necessary information and training (this could extend to cover the required precautions to prevent slips and trips).

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1) The Management of Health and Safety at Work Regulations, SI 1999/No. 3242, (Regulation 5)
2) The Management of Health and Safety at Work Regulations, SI 1999/No. 3242, (Regulation 3)
3) The Construction (Design and Management) Regulations, SI 2007/No. 320
This applies equally to those running and managing a small project, or to a subcontractor working at a large site controlled by someone else.

More specific requirements relating to the prevention of slips and trips during construction work are detailed in CDM, Part 4. These include those relating to ensuring:

- safe places of work (including the provision and maintenance of) safe access to and egress from every place of work
- ensuring every part of a construction site is kept in good order
- providing suitable and sufficient lighting

Duties to achieve these standards are held by the contractors who actually carry out the work, irrespective of whether they are employers or are self-employed. Duties can also be held by those who do not complete the construction work themselves, but do control the way in which the work is done. In each case, the extent of the duty is in proportion to the degree of control which the individual or organisation has over the work involved.

Where construction projects are notifiable under CDM (i.e. lasting more than 30 days, or involving more than 500 person days of construction work), a number of additional considerations may be necessary that have relevance to the prevention of slips and trips (see CDM, Part 3).

For example, this would include the duties of the principal contractor to plan, manage and monitor the construction phase to ensure that it is carried out without risks to safety. This might require them to co-ordinate activities to reduce the risk of slipping or tripping; draw up site rules or give directions; provide site induction and so on. Also, the construction phase plan could include specific detail relating to the prevention of slips and trips.

For contractors, they might need to provide relevant information from a risk assessment to the principal contractor. They may also have to ensure that work is carried out in accordance with any site rules and the construction phase plan. This could relate to the prevention of slips and trips.

In addition to CDM, other requirements such as the Work at Height Regulations also contain specific requirements aimed at preventing slips and trips on construction sites. For example, working platforms need to:

- be of sufficient dimensions to permit the safe passage of persons
- have a suitable surface
- be erected, used, and maintained so as to prevent the risk of slipping or tripping

**HOW DO I GET STARTED**

Key considerations include the following:

- Identify any specific regulations or guidance that may apply in your specific circumstances and relate to the prevention of slips and trips during construction work. Useful resources are available at [www.hse.gov.uk/construction/index.htm](http://www.hse.gov.uk/construction/index.htm)

- Ensure that the risk assessments that you complete to meet the requirements of the Management of Health and Safety at Work Regulations address the slip and trip hazards on site, identifying the necessary precautions to be implemented in the context of the requirements you have identified. In most circumstances, assessments should be recorded, reviewed and updated (as necessary)

- Ensure that risk assessments are completed by someone who is competent. Where employing the services of a health and safety consultant, ensure that they are on the Occupational Safety and Health Consultants Register (OSHCR), further information available at [www.oshcr.org](http://www.oshcr.org)

- Ensure that arrangements are in place to comply with your duties under CDM

- Where construction projects are notifiable, use risk assessments as a basis for developing the construction phase plan or for developing method statements to inform its development when submitting information to any principal contractor ensuring that relevant slips and trips precautions are included

Implement and maintain the precautions identified as being necessary by any risk assessment or the construction phase plan. These may include:

- providing walkways that are clearly designated; have firm conditions underfoot; are levelled if necessary; being properly signposted and provided with adequate lighting

4) The Work at Height Regulations, SI 2005/No. 735
- ensuring that fixed steps are properly constructed (e.g. for site cabins)
- providing temporary handrails to stairs that are yet to have permanent features installed
- installing temporary ramps where changes in surface level cannot be avoided
- ensuring that scaffold platforms are properly constructed
- improving site layout to permit clear vision and safe access (i.e. avoiding collision with equipment or materials)
- using mechanical lifting aids (e.g. forklift trucks) rather than manually handling loads
- ensuring good housekeeping standards by inclusion in contracts and site rules, and by supervision and enforcement, adequate provision of site labourers etc.
- planning and segregating areas for the storage of materials
- scheduling deliveries and programming work to minimise the amount of materials on site
- ensuring that temporary coverings used to protect finished floor surfaces do not pose a risk of slipping or tripping
- designating areas for waste collection, providing skips and bins where needed and making clear the responsibilities for waste removal as part of contracts and site rules
- using cordless power tools to avoid trailing cables or where this is not possible, running cables at height including those required for temporary lighting
- cleaning, treating or covering slippery surfaces
- implementing suitable precautions to prevent slips or trips from vehicles, particularly during loading and unloading
- ensuring the use of appropriate footwear for site workers etc.
- operating a robust system for inspecting access routes and work areas for slip and trip hazards and for reporting/recording/rectifying (or providing temporary protection for) hazards and defects
- using safety signs to highlight changes in level or other slippery areas
- Provide (and record details of) training and information for employees (and others where necessary) relating to these precautions and any associated responsibilities (e.g. keeping walkways clear, removing obstructions or reporting defects etc.)
- Where appropriate, record the arrangements and responsibilities for managing slip and trip exposures as part of the health and safety policy and other documentation for specific sites (e.g. contracts; subcontract orders; minutes of site planning and management meetings; construction phase plan etc.) and review/revise these as the project progresses.

A POSITION OF DEFENCE
Adopting the structured approach set out above will go a long way in preventing slips and trips during construction work. And should a claim occur, it will also assist in the defence of these – particularly if these appear to be fraudulent.

In these circumstances, key evidence is likely to include:
- Information gathered at the scene of the accident detailing the injured parties, extent of injury, the circumstances (time, location, environmental conditions etc.); the layout of the area (including any sketches/photographs); witnesses statements etc.
- Investigation documents including accident books, internal accident report forms and investigation reports; first-aid reports and records; RIDDOR report forms and related documents; any Enforcing Authority correspondence relating to the event; minutes of any meetings at which the event or related matters were discussed etc.
Relevant documents and records produced to meet specific health and safety requirements and as recommended in the approach above e.g. risk assessments; records of inspections and other checks; records of improvement actions taken, disciplinary records, site meeting notes, records of information, supervision and training provided; policy documentation etc.

**IS THERE MORE GUIDANCE AVAILABLE**

The key references include:

- Health and safety in roof work HSG 33, HSE
- The safe use of vehicles on construction sites HSG 144, HSE
- Health and safety in construction HSG 150, HSE
- CDM Regulations 2007: Approved Code of Practice L144, HSE