

Ceres Rural – Health & Safety Bulletin

Introduction

Welcome to Ceres Rural's Health & Safety Bulletin. Each quarter, we update you on industry news, topical issues, and safety alerts with the aim of supporting you in achieving best practice on your farm or estate. Harvest will soon be upon us and represents a period of heightened risk due to long hours of work and fatigue, use of temporary employees, operation of machinery, and exposure to noise and dust. There also remains an underlying risk of farms and estates being impacted by Coronavirus. Stay safe this summer by reviewing your health and safety practices prior to harvest.



Trailer Safety

Trailers – particularly when laden with grass or grain – pose a significant risk to the operator and other road users at harvest. In 2014, 19-year-old Harry Christian-Allan died when the brakes failed on the tandem-axle grain trailer he was operating. His employer was prosecuted and found guilty of failing to correctly adjust the drum-type brakes and received a £400,000 fine and £67,274 in costs. The Health & Safety Executive commented that, “many trailers are only used at harvest time and this failure to maintain is likely to be widespread across the industry. Farmers are reminded to ensure that they adequately maintain all work equipment, including any which is not in mainstream use.”

The Health & Safety at Work etc. Act 1974 requires the employer to ensure, so far as is reasonably practicable, the health, safety, and welfare at work of his employees and others who may be affected. The Provision & Use of Work Equipment Regulations 1998 require work equipment to be suitable for the purpose for which it is used or provided, and to be kept in an efficient state, in efficient working order and in good repair. The Regulations also require a log to be kept up to date of all machinery maintenance.

Trailers should be operated only by correctly trained and authorised personnel. An agricultural tractor can be driven by anyone with a category F driving licence, although restrictions apply to 16 to 17 year olds. On the road, trailers must be correctly hitched to the towing vehicle with lights connected and hydraulic or pneumatic brakes in working order. The maximum combination weight of a tractor and loaded trailer is 31 tonnes, with the maximum laden trailer weight being 18.29t.

It is good practice to carry out a daily visual check of trailers. Drivers of commercial vehicles are legally obliged to carry out daily inspections and record their findings – this is a good habit to follow. This is also known as the ‘airline pilot principle’ – following a daily safety checklist which, in the aviation industry, has resulted in aircraft accidents being on a steady decline since the 1980's.

Trailer manufacturers such as Bailey Trailers Ltd, Ktwo Ltd, Richard Western Ltd, Stewart Agricultural Ltd and Warwick Trailers Ltd all provide daily and weekly safety checklists and service schedules. Meanwhile, the Tilly Organisation – set up in memory of 19 year old Harry Christian-Allan who died when the brakes failed on the tandem-axle grain trailer he was operating – unites these and other trailer manufacturers in recommending an annual trailer inspection by an authorised mechanic. Trailers that are subject to the 18 point check have a certificate displayed on the tailgate displaying a unique pass number as a demonstration of the trailer being kept in efficient working order.

Both daily checklists and annual inspections as described above not only ensure the health, safety and welfare of employees and others as set out in the Health & Safety at Work etc. Act 1974, but also contribute towards the log of machinery maintenance as required by the Provision & Use of Work Equipment Regulations 1998.

Enforcement

February 2021 marked the fifth anniversary of new court guidelines being implemented for health and safety failings. During this time, the average fine handed to employers has risen from £54,000 in 2015-16 to just over £150,000 in 2018-19. While the average fine dropped by over a quarter to £110,000 in 2019-20, many penalties enforced since the change have topped £1 million and involved high profile organisations.

While the level of fines and reputational impact should make farms and estates more determined to prevent accidents and health and safety failures in the workplace, the desire for doing so should not be merely financial. Rather, in what are frequently close-knit communities, the drivers should be moral with a determination to make a positive difference and send employees home safely at the end of each working day.

Mezzanines

Health and safety extends beyond workshop and machinery store floors to mezzanines above.

Mezzanines must conform to the Health & Safety at Work etc. Act 1974, Management of Health & Safety at Work Regulations 1999, Construction (Design and Management) Regulations 2015 and Work at Height Regulations 2005. The latter apply in any situation where someone could fall and injure themselves, including mezzanines where someone could fall from an unprotected edge or through an opening or fragile surface.

Falls from height are one of the most common causes of fatalities in agriculture and typical areas of concern for mezzanines include failing to provide safe access and egress, insufficient guard, intermediate and kick rails, and failure to protect the anchoring below from impact from vehicles or machinery.

When using mezzanines, you should know the safe load-bearing capacity and safe ground bearing pressure of the surface and foundations below. Periodic checks should be made to ensure all fixing bolts remain tight. Consideration should be given to the weight of items being placed on the mezzanine to avoid overloading with goods and materials, and regardless of frequency of use, stairs and walkways should be clear and free of obstructions. The floor type together with edge and loading area protection should be carefully thought out. There should be adequate lighting and a tidy working environment to avoid slip and trip hazards arising.

Where people are allowed access, all openings and edges of the floor should be fenced to prevent any goods or people from falling, and a safe means of access and egress should be provided. The Work at Height Regulations 2005 require that a guard rail and kick rail should be present, these must be suitable and sufficient to prevent the fall of a person, or any material or object. The guard rail must be at least 950mm above the edge from which any person is liable to fall (existing guard rails can be 910mm in height if fixed in place before April 2005), with intermediate guard rails being no more than 470mm apart.

Locations in the fencing on mezzanine areas where stock is transferred should be suitably guarded to prevent people or objects falling over the edge. A swing-over pallet gate can achieve this. Chains, tapes or similar should not be used as edge protection because they will not be robust enough to prevent a fall should someone stumble or inadvertently lean against them.

Lone Working

There is nothing illegal about lone working. The practice is commonplace on nearly all farms and estates. Simple yet effective steps can be taken to make lone working as safe as possible. Health & Safety Executive figures on fatal injuries in agriculture appear to show a correlation between deaths and geographical areas which are more remote, and help is further away in terms of both time and distance, bringing the importance of safe lone working into sharp focus.

Before lone working, you should inform someone of your intended whereabouts and what time you plan to return. Employees should be encouraged to provide contact details for at least two next of kin to the employer, and those of next of kin should also be able to contact the employer in the event of the employee failing to return home.

An effective means of communication should always be carried. This is most commonly a mobile telephone, which should be kept fully charged using a USB socket in machinery or a charger at home or in the office or workshop prior to departure. Mobile telephones should be kept on your person at all times, and you should be familiar with the emergency functions of the specific handset including SOS mode, use of the GPS locator and ICE (In

Case of Emergency) contacts. Telephone numbers for management and work colleagues should be stored and you should be familiar with dialling 105 in the event of hitting an overhead power line. Make contact at the start and end of the working day, and during the day when you stop for a break. A Whatsapp group can be useful to keep every in touch. The free-to-download app, what3words, is now widely used and can be extremely useful in pinpointing your location to others in the team, as well as beckoning the assistance of emergency services.

There are certain tasks that should not be carried out if you are lone working. Examples include using chainsaws, working at height, and handling and medicating livestock. Always call for help and do not be tempted to carry out inappropriate work alone, even for short durations. Similarly, you should carry all necessary tools and equipment for the work you are planning to carry out. Under no circumstances should tasks be completed, or shortcuts taken where the necessary resources – including personal protective equipment – have been forgotten or left behind.

Looking after yourself is of paramount importance. Air conditioning and climate control features of modern farm machinery create a comfortable working environment but can be equally result in dehydration. Take ample drinks – particularly water – with you and ensure a plentiful supply of food, particularly if you are expecting to work long hours. You should carry any medication – including inhalers and EpiPens – that you are likely to need. Take periodic rest breaks, this will give you an opportunity to eat and drink (for which you should carry waterless hand sanitiser) as well as to get away from any noise, vibration, or dust and to counter fatigue. If you feel tired, unwell or in need of any form of support, do not be afraid to call someone in the team – it is far better for your own health and for business continuity to flag up issues proactively rather than dealing with problems reactively.

Stay safe this harvest, you are the most fundamental asset to the farm or estate! Please speak to the farm or estate manager or call Robert Gazely on 07592 041617 if you have any concerns.

Health & Safety Inductions

Health and safety inductions for new permanent, temporary, or casual employees are both a legal and moral requirement. The Health & Safety at Work etc. Act 1974 requires the employer to ensure, so far as is reasonably practicable, the health, safety, and welfare at work of all his employees. Employees are required to take reasonable care for their own health and safety and that of others who may be affected by their work. The Management of Health & Safety at Work Regulations 1999 (as amended) also require the employer to provide the employee with adequate health and safety training on being recruited into the employer's undertaking. Inductions demonstrate the employer's commitment to an open, transparent, and positive health and safety culture and to keeping the whole team safe.

A good induction should include:

- Responsibility – explain both parties are jointly responsible for health and safety.
- Emergency procedures – fire, explosion, rolling a trailer, chemical spillage, assembly points.
- Fire – hazards, types and applications of fire extinguishers, assembly points.
- Locations – fire alarms and extinguishers, first aid kits, electric isolation points.
- First aid – how and where to seek assistance.
- Accidents – lines of reporting and recording.
- Welfare – facilities available, drugs and alcohol policy, sickness, and absence procedures.
- Farm plans – overhead and underground services, watercourses, public rights of way.
- Personnel – next of kin and GP, medical conditions, allergies, use of inhalers and epi-pens.
- Communication – key points of contact and telephone numbers.
- Machinery and equipment – risks, safe operation, and maintenance arrangements.
- Manual handling – correct techniques, when to and not to lift.
- COSHH – safe use of substances, awareness of COSHH assessments and health risks.
- PPE – responsibility to use and store PPE as instructed and report damage or loss.
- Housekeeping – reporting anything that may cause harm, keeping workplace clean and tidy.
- Training – identify existing capabilities and further training requirements.
- Field operations – safe combining, grain carting, tillage, spraying and fertilising.

All new employees must read and sign to confirm they have received and understood the Health & Safety Policy and agree to work safely and in accordance with the risk assessments and safe systems of work at all times.

Report on Future of Health & Safety

The European Agency for Safety & Health at Work has published its Review on the Future of Agriculture & Occupational Safety & Health. It identifies that agriculture and forestry are among the most dangerous professions in Europe, with a high level of accidents affecting the sustainability and viability of the sector, and both fatal and non-fatal accidents being underreported. It also highlights farmer health as a key issue, placing importance on working conditions and establishing guidelines to protect seasonal workers. The report shows that pesticide-related risks, musculoskeletal disorders, zoonoses, skin cancer, and mental health issues are all major emerging and continuing risks that have not been adequately managed or have been underestimated due to lack of accurate historical data.

The report describes agriculture as a sector in transition with changes in new technologies, climate change, labour market trends, and international trade and economic considerations.

New technologies will benefit health and safety through minimising risk exposure, improving safety management systems, upgrading machine and vehicle safety and livestock handling, offering better prevention of musculoskeletal disorders, reducing exposure to pesticides and hazardous substances, improving the work-life balance of farmers, and introducing new technologies and devices for health and safety. However, because of the slow uptake of new technologies, this will not offer an immediate solution to the high level of accidents and fatalities seen in the sector.

Climate change will challenge health and safety due to extreme weather events, heat and sun exposure, insect-borne diseases, dust, and pesticide exposure. Measures required to combat these factors include providing sufficient shade for employees, using non-reflective surfaces to protect against light, providing sufficient ventilation and cooling systems, adapting working hours to avoid heat and extreme weather, and adopting a more hands-on approach to monitoring working conditions, employees' water consumption, body heat and related factors.

Labour market trends will continue to see self-employed farmers dominate, many of whom are rarely inspected for health and safety and accidents and ill health to whom are rarely reported. They also have limited access to health and safety resources and training and limited capability to invest in new, safer machinery and farm infrastructure. The frequent use of seasonal and temporary employees bring additional risks owing to insufficient training, lack of health surveillance and cultural and language barriers. Many of the labour market deficiencies that impact on the sector's health and safety record are difficult to remedy as they are closely interrelated with farm organisation and profitability, with lack of revenue for small farmers undermining inclusive and preventive approaches.

Trade and economy can also impact health and safety through means such as biological agents and invasive species. Global trade in agriculture may propagate the movement of

alien species, vectors and pests which can have novel or emerging impacts on farmer health and safety.

The report concludes that to successfully tackle future health and safety challenges in the sector, it will be important to address a number of issues, namely:

- Lack of investment in and uptake of new and safer technologies and machinery.
- Climate change risks and related occupational health challenges.
- Lack of transparent and wholly inaccurate accident and ill health recording.
- Absence of a health and safety regulatory framework to protect farmers.
- Lack of a prevention culture as a consequence of a skills and training deficit.
- Existence of widespread atypical and irregular employment practices.
- Lack of appropriate labour inspection resources to protect seasonal and migrant workers.
- Insufficient farm income and management time to prioritise health and safety.



Get in Touch

If you would like to discuss any topics raised in this issue of the Health & Safety Bulletin, do contact Rob Gazely.



Email: robert.gazely@ceresrural.co.uk

Mobile: 07592 041617