

### Introduction

The Company, having less than five employees is not required under current legislation to have and maintain a written health and safety policy. However, the management company does recognise that all activities carry an element of risk and allotment gardening is no exception. Everyone needs to take health and safety seriously but it is also important not to become 'litigation paranoid'. Good gardening is safe gardening, and many risks to both ourselves and others can be easily prevented.

### Our Obligations

Under civil law, and as set out in the Occupiers' Liability Act, Heathlands GYO Ltd has a duty of care for the common areas of the estate granted to it by its landlord. Similarly, under common law, all plot-holders have a duty of care to anyone accessing their plot. Our joint responsibilities includes protection to both authorised and unauthorised visitors. The law requires that in all these areas we exercise at least a 'reasonable' level of care regarding safety. Although unlikely, a claim could be made for negligence when an individual suffered an injury because we didn't take reasonable precautions. It is not possible in English law to exclude liability, for example by way of a notice. We are also obliged to comply with other laws, such as those regarding environmental and wildlife protection.

### Our Policy

Our Health & Safety Policy, although summarised in this document, is implemented through our Tenancy Agreement, Newsletters, web site and by communication by email etc. In addition, a risk and hazard assessment will be carried out by the Management Board or designated persons annually, and appropriate actions taken both to minimise hazards and risks, and to update this policy.

A hazard is something that can cause injury, for example the road access, the parking area, fencing materials, exposed sharp edges. Hazards can sometimes be removed, but may be inevitable. Risks are the potential threats caused by the hazards, for example injury from a hidden sharp edge, a vehicle accident. Risks can usually be avoided.

Injuries and "near-misses", and any other safety-related issues must be reported to a member of the Management Board so that any existing hazard or risk can be eliminated and prevented in the future.

It will be ensured that plots are free from hazard on leasing to new plot-holders, and to advise them of this policy and any known hazards.

Here are some safety rules:

- It is recommended that, particularly at quiet times, plot-holders inform someone where they are, and their likely return time.
- Emergency numbers will be posted on the notice-board and regularly updated.
- Plot-holders should ensure that their plot and associated accesses are free from hazard: hazards may include sharp edges, exposed nails, improperly stored tools, hazards hidden within undergrowth such as discarded tools, improperly stored dangerous materials such as

those listed below. Please remember that we are jointly legally responsible for the safety of anybody who may enter our plots.

- Plot-holders must acquaint themselves with, and adhere strictly to, the guidelines regarding storage, usage and disposal of hazardous materials such as glass, pesticides, fertilisers, oil, and fuel. These must be securely stored in the proper containers, and well away from possible reach by children.
- Plot-holders should acquaint themselves with the safe use, and storage, of tools, particularly power tools.
- Plot-holders should be vigilant for rats, rabbits and other vermin, and the Chairperson of the Management Board informed if evidence of vermin is observed.
- Plot-holders should report vandalism or other evidence of intruders to a member of the Management Board for possible reporting to the police.
- Plot-holders should ensure that the gate is kept closed at all times, both to prevent ingress of rabbits, and egress of children.
- It is recommended that you reverse your vehicle when parking as this has been shown to significantly reduce accidents.

### **Risk Assessment**

The Management Board will carry out a risk assessment of the site annually. This usually involves two people touring the site, identifying hazards, assessing risks, and deciding on actions. Risk assessment involves listing potential risks caused by these hazards, assessing the frequency that people are exposed to those hazards, the probability of injury and the impact of such injury. Some risks are so great that immediate action must be taken, some are severe enough that some action needs to be considered, and others may need no action.

**Most injuries are easily prevented. Good gardening is safe gardening and it is everyone's responsibility to ensure that we garden in a safe way.**