

Health, And Safety (H&S) Risk Assessment (RA)

The main piece of legislation for H&S in the UK is the H&S at Work etc. Act 1974 (H&SA). The Occupiers' Liability Acts 1957 and 1984 are also relevant. (See Attachment) In general, H&S law violations can result in both civil and criminal consequences. Criminal H&S laws do not apply to organisations, such as Alcove Angling Club (AAC), that are unincorporated i.e. have no legal corporate status, and don't employ people¹. However unincorporated organisations or rather the members that comprise them can be sued for H&S violations under tort law. This is a branch of civil law that addresses wrongs that cause harm to others. Tort law includes negligence, which holds that the people comprising unincorporated organisations, such as AAC, have a duty of care to others. Given these legal implications, it is important that AAC Committee Members understand their duties and responsibilities, including the means to achieve them such as Risk Assessment (RA).

UK H&S legislation requires that organisations undertake "suitable and sufficient" RAs of their activities. RA is a qualitative technique intended to focus attention on the primary risks by identifying and evaluating the more serious risks, thereby enabling managers, in this case AAC Committee, to prioritise them and to identify "reasonably practicable" "management measures" to reduce them to "tolerable" levels, in order to:

- first and foremost, protect the H&S of members and others who may be at risk;
- protect AAC Members from the consequences of legal action arising from incidents by providing evidence to AAC's insurers and potentially the Courts that AAC discharged its H&S duty of care conscientiously.

"Suitable and sufficient" is not defined in law but, in practice, means that RAs must be rational and thorough. They must consider all significant risks and everyone who might be affected by them at a level of detail proportionate to their seriousness and they must identify measures to mitigate the major risks, thereby providing confidence that the residual risks are low.

"Reasonable practicable" means likely to be effective in reducing risk and achievable in terms of time and money in the prevailing circumstances. For example, comprehensive fencing and guard patrols to deter trespassers might be essential and affordable for a major industrial concern but would be quite beyond the means of a small fishing club.

"Tolerable" (or Acceptable) varies depending on the situation. For example, extreme sports enthusiasts tolerate much higher risks than most people would consider acceptable in their everyday lives. Indeed, while every effort is made to enhance safety, the

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residual risk is an important factor in the attractiveness of the sports. It is also important to differentiate between perceived and actual risk. For example, the perceived risk is a major factor in the attractiveness of "adrenalin" fairground rides but the safe carriage of millions of riders suggests that the actual risks (once management measures such as safety belts, size restrictions are taken) are low and certainly tolerable to the riders.

In the context of AAC, it is reasonable to assume that mature Members are cognisant of the normal risks inherent in fishing e.g. impaling a finger with a hook, being hit by a flying weight when retrieving tackle from a snag, managing injuries due to slips, trips and falls on lakeside paths, and consider them to be tolerable, otherwise they wouldn't go fishing. The same may not be true of, for example, young anglers and trespassers.

A "Management Measure" is a requirement of a "safe system of work" mandated to, in order of precedence:

1. eliminate a risk. For example, suppose it is required to take a photograph from the top of a high structure. The risk posed to a human photographer could be eliminated by using a drone;
2. reduce the risk. Suppose it is infeasible to use a drone. The risk of a fall could be reduced by employing an experienced climber with suitable access equipment e.g. ladder or, better, cherry picker, rather than a common or garden photographer;
3. reduce or eliminate injuries in the event of a fall e.g. by providing a safety harness.

A one management measure may mitigate several risks. If management measures cannot reduce a risk to a tolerable level, the objective must be abandoned.

A "Safe System Of Work" is a set of procedures that outline how to perform a task to minimize the risk of injury or accident.

RA is a tool to assist the AAC Committee in its H&S management, not a resource-consuming, academic exercise done for its own sake. It is not an exact science. As such, it is more effective to do quick, intuitive assessments and implement remedial measures promptly than to spend time and effort refining assessments, which are unlikely to become any more accurate. Time and experience will highlight any misjudgements.

This being so, it is important that the AAC Committee reviews its RAs systematically in the light of experience and changed circumstances. The ACC Committee must therefore review its RAs after any significant event e.g. serious incident, introduction of a

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new activity, change of venue, and, in any case, annually to confirm that risks are correctly identified and management measures are effective and proportionate. It is opportune to review RAs at the first Committee meeting after the Annual General Meeting (AGM) i.e. in February, so that any new Members understand and confirm their ownership of them.

The outcome of the RAs is a programme to implement and, in due course, maintain the required management measures that:

- prioritises the more serious risk e.g. it may be that, with winter upon us, bringing the prospect of wetter, frostier weather and fewer AAC members fishing, building steps down to currently usable but potentially dangerous swims should take precedence over reinstating currently unusable platforms.
- is resourced in terms of both finance and labour.
- specifies who is responsible for delivery and by when.

It is important that the programme is realistic and that the AAC Committee monitors its progress and takes prompt remedial action as necessary.

Although the intention of RA is to focus attention on the major risks, time- and cost-effective opportunities to mitigate minor risks should not be ignored. For example, it may be assumed that most anglers are aware of the risk of Weils Disease but, if information posters are freely available, putting them up won't do any harm and may inform the occasional Member and Trespasser who is not aware.

Next Steps

AAC Committee should consider the draft RA for Whitehouse Farm (below) and, once any necessary amendments have been agreed, approve it. Target: the AAC Committee's November meeting if this paper and RA can be circulated to Members in sufficient time for them to consider/ propose amendments to it. If not, then at the December Meeting.

PRW, in conjunction with appropriate Bailiff(s) and the Fishery Manager should draft:

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- RAs for The Clamp and Lido. These should be largely the same as the Whitehouse Farm RA, with relatively small amendments to reflect variations at the other venues. Target: to produce drafts for approval by the AAC Committee at its December meeting.
- an RA for the River Avon. This will be rudimentary because AAC is not in control of or able to mandate management measures on the stretch. AAC Members must therefore decide for themselves what risks are and are not tolerable to them. All AAC can do to mitigate risks is to require:
 - AAC Members to comply with any precautions imposed by the lessee of the fishing rights i.e. Amalgamated Fisheries plc.
 - the AAC Match Secretary (or other match organiser) to:
 - call off matches if unacceptably dangerous conditions exist e.g. floods, severely inclement weather.
 - avoid any unstable or particularly hazardous swims.
 - give a pre-match H&S briefing, highlighting any unusual risks e.g. potentially dangerous animals in adjacent fields.
- draft a programme to implement management measures, including cost and labour estimates, timescales and proposed responsible people, for approval by the AAC Committee at its December meeting.

AAC Secretary should include in AAC Committee agendas:

- annual review of RAs (February)
- monthly reviews of Management Measures Implementation (and in due course, Maintenance) Plan.

This RA considers H&S risks only. It does not cover other potentially serious risks to which that Members may be subject, including, for example, loss of or damage to tackle from Trespassers and their animals.

Definitions

Hazard - a hazard is anything that may cause harm i.e. injury or illness. Examples in a fishing context include water i.e. risk of drowning, unsafe platforms i.e. risk of physical injury, wildlife i.e. risk of infection. Note that it is immaterial how the hazard comes to present a risk. It is enough that the hazard is presenting a risk. For example, a person may have chosen to enter the water to swim, had a boat sink under them or slipped in from a wet platform; they are still in the water and therefore at risk of drowning.

Probability (P) - probability is the likelihood of a hazard causing harm e.g. the likelihood of someone falling into the water with the attendant risk of drowning. P lies in the range 1-5, with 1 being very unlikely to happen and 5 being highly likely to happen.

Likely Consequence (C) - Likely consequence is the most probable result when a hazard causes harm. Note that this is the most likely outcome, not the worst case. For example, a passenger involved in a road traffic collision might escape uninjured or be killed but the most probable result is lies somewhere between these extremes. C lies in the range 1-5, with 1 being minimal harm and 5 being very serious injury/illness or death.

Risk (R) - Risk is the product of the Probability (P) of an event happening and the Likely Consequence (C) of that event happening. Note that it is not the intent or required to eliminate all risks but to implement reasonably practicable measures to manage them down to a tolerable or acceptable level. R lies in the range 1-25, with values of 3 or under being tolerable.

In the context of AAC, it is reasonable to assume that mature Members are cognisant of the normal risks inherent in fishing e.g. impaling a finger with a hook, being hit by a flying weight when retrieving tackle from a snag, managing injuries due to slips, trips and falls on lakeside paths, and consider them to be tolerable, otherwise they wouldn't go fishing. The same may not be true of, for example, young anglers and trespassers.

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Pre-mitigation - Pre-mitigation means without any risk mitigation measures having been taken. For example, if platforms were not maintained, had no anti-slip strips fitted etc. Note that AAC has implemented many risk mitigation measures already, so "pre-mitigation" and the current state are not synonymous. The current state is, in many cases, better and, indeed, may be "tolerable".

Post-mitigation - Post-mitigation means after all desirable risk mitigation measures are implemented.

Categories Of People At Risk

Members (M) - all classes of AAC members i.e. includes WPM, B and VM. They may be on site fishing or simply walking around.

Vulnerable Members (VM) - a sub-set of Members who may be a greater risk than mature, experienced Members. They include young people and disabled anglers.

Working Party Member (WPM)s - a sub-set of AAC Members, who are at risks additional to those to which they are exposed as Members, arising from working party activities e.g. using, power and hand tools, boats etc. This includes both pre-programmed Club working parties and ad hoc working parties undertaken by authorised individuals e.g. Bailiffs. Fishery Manager(s)

Bailiffs (B) - a sub-set of AAC Members, who are at risks additional to those to which they are exposed as Members, arising from their duties e.g. challenging trespassers, checking Members' tabs.

Legitimate Visitors (LV) - non-members who are on site either by invitation or right. Examples include land owners, contractors undertaking maintenance work for AAC, Environmental Agency (EA) Officers checking licences, Police dealing with poachers.

Trespassers - non-Members who are on site without invitation or right. Examples include ramblers who have inadvertently strayed from Public Footpaths e.g. at Whitehouse Farm, swimmers, poachers and delinquents who have broken in intent on causing mischief.

H&S Risk Assessment For Whitehouse Farm											
Hazard	Activity	Nature Of Risk	People At Risk	Likely Impact	Pre-mitigation			Mitigation Measures	Post Mitigation		
					P	C	R		P	C	R
Deep Water	Authorised Use of Boat	1. Boat sinks 2. Crew member falls overboard	WPM	Significant water inhalation	3	1	15	1. No single crewing. 2. Crew wears suitable buoyancy aid. 3. No junior members in crew. 4. All crew members must be able to swim. 5. Comprehensive serious incident investigation process	3	1	3
	Unauthorised Use of Boat		M, T	Significant water inhalation	5	3	1	1. Deep Water warning signs 2. Boat landed and secured when not in use 3. Lifebelts available 4. Discourage trespassers with signs at entrances indicating "Public Footpath" and "Private Road/Property" 5. Mow Footpath from back entrance to George's Lake	1	1	1

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								6. Comprehensive serious incident investigation process			
	Platform maintenance, weed cutting	Wading to gain access	WPM	Minor water inhalation	3	3	3	1. No single person working 2. Wading limited to shallow water 3. Comprehensive serious incident investigation process	3	1	3
	Fishing, walking on pathways	People falling into water from Platforms, Paths etc.	M, T	Minor water inhalation	3	1	3	1. "Deep Water" warning signs 2. Lifebelts available 3. Pre-match warnings about slippery platforms when wet 4. Discourage trespassers with signs at entrances indicating "Public Footpath" and "Private Road/Property" 5. Mow Footpath from back entrance to George's Lake 6. Comprehensive serious incident investigation process	3	1	3

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	Young people fishing, walking on pathways and platforms	Young people may be short, meaning even "shallow" water is "deep" for them.	VM	Significant water inhalation	3	3	9	1. Club rules require young Members to be accompanied by a responsible adult 2. Deep Water warning signs 3. Lifebelts available 4. Comprehensive serious incident investigation process	1	1	1
	Swimming	Unauthorised swimming	T	Minor water inhalation	3	1	3	1. Deep Water warning signs 2. Lifebelts available 3. Members vigilance i.e. calling Police/Bailiffs 4. Discourage trespassers with signs at entrances indicating "Public Footpath" and "Private Road/Property" 5. Mow Footpath from back entrance to George's Lake 6. Comprehensive serious incident investigation process			
Platforms	Fishing, walking	1. Falling through defective	M, T	Significant physical injury	5	3	15	1. Systematic platform condition monitoring and	1	1	1

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		planking 2. Slipping causing muscle strain, bone break etc.						maintenance, including taking defective platforms out of service and recording work undertaken. 2. Encourage Members to report defects 3. Anti-slip strips on platforms. 4. Discourage trespassers with signs at entrances indicating "Public Footpath" and "Private Road/Property" 5. Mow Footpath from back entrance to George's Lake 6. Comprehensive serious incident investigation process			
Disabled Platforms	Fishing	Mobility e.g. wheelchairs, scooters, rolling off platform	VM	Drowning	3	5	15	1. Safety bars on front and sides of designated disabled swims 2. Comprehensive serious incident investigation process	1	1	1
Access	Fishing,	1. Slipping	M, LV,	Significant physical	5	3	15	1. Systematic path	1	1	1

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Paths To Platforms	walking	causing muscle strain, bone break etc. 2. Falling into water.	T	injury				condition monitoring and maintenance including work undertaken. 2. Install bolstered steps to steep access paths 3. Discourage trespassers with signs at entrances indicating "Public Footpath" and "Private Road/Property" 4. Mow Footpath from back entrance to George's Lake 5. Comprehensive serious incident investigation process			
Flora	Fishing, walking	Contact with thorny or toxic plants e.g. Giant Hogweed, Brambles,	M, LV, T	Toxic reaction Physical trauma from e.g. brambles	5	3	15	1. Systematic control or potentially dangerous plants 2. Signs warning of (credible but not widely known) potential risks 3. Discourage trespassers with signs at entrances indicating "Public Footpath" and	3	1	3

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								"Private Road/Property" 4. Mow Footpath from back entrance to George's Lake 5. Comprehensive serious incident investigation process			
Fauna	Fishing, walking	Infection	M, LV, T	Serious illness e.g. Weils and Lymes Diseases	1	3	3	1. Signs warning of (credible but not widely known) potential risks 2. Comprehensive serious incident investigation process 3. Oil Geese eggs to control numbers, thereby minimising risk of infection from and slipping on faeces.	1	1	1
Hand Tools	Fishery Maintenance e.g. building structures, cutting bushes	Cuts, crush injuries etc. from bladed tools, hammers etc.	M	Significant physical injury	3	3	9	1. Tools to be maintained and used iaw makers' recommendations 2. PPE provided and used 3. Comprehensive serious incident investigation process	3	1	1
Power Tools	Fishery Maintenance	Cuts, burns, crush injuries	M	Significant physical injury	3	3	9	1. Tools to be maintained and used	1	1	1

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	e.g. cutting grass, strimming undergrowth, pollarding trees	etc. from bladed tools, hammers etc.						<p>law makers' recommendations</p> <p>2. PPE provided and used</p> <p>3. Need for service history programme and records?</p> <p>4. Comprehensive serious incident investigation process</p>			
Fuel	Fishery Maintenance	Explosion/Fire when refuelling power tools.	WPM	Burns, blast injuries	3	3	9	<p>1. No Smoking signs for storage sheds</p> <p>2. All refuelling to be done in open air</p> <p>3. No smoking in the vicinity of stored fuel or refuelling</p> <p>4. Comprehensive serious incident investigation process</p>	1	1	1
Traffic	Accessing Fishery	Car/pedestrian collision in car park and on access track	M, LV, T	Significant physical injury	3	3	9	<p>1. Speed limit imposed</p> <p>2. Rough track physically limits speed</p> <p>3. Discourage trespassers with signs at entrances indicating "Public Footpath" and "Private Road/Property"</p>	1	1	1

								4. Comprehensive serious incident investigation process 5. Mow Footpath from back entrance to George's Lake			
Toxic Chemicals e.g. weed killers	Fishery Maintenance	Accidental exposure, inhalation or ingestion	WPM	Significant physical injury	3	3	9	1. Chemicals used iaw makers' instructions 2. Chemicals never to be decanted into unmarked containers 3. Comprehensive serious incident investigation process			
Physical altercation	Enforcement	Conflict when enforcing Club rules, checking Tabs, challenging poachers etc.	B	Significant physical injury	3	3	9	1. Rigorous selection and training of of Bailiffs 2. Comprehensive Bailiffs' guidelines 3. Discourage trespassers with signs at entrances indicating "Public Footpath" and "Private Road/Property" 4. Mow Footpath from back entrance to George's Lake 5. Comprehensive serious incident	1	3	3

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								investigation process			
Fishing tackle	Fishing, walking	Accidental contact from tackle e.g. caught by back cast	T	Minor physical injury	3	1	3	1. Signs warning of fishing in progress i.e. "Private Fishing" 2. Comprehensive serious incident investigation process	1	1	1

Signed on behalf of the Alcove Angling Club Committee,

Bill Knight

Chairman

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