

## **MISTLEY PARISH COUNCIL HEALTH & SAFETY POLICY & ALLOTMENT RISK ASSESSMENT**

### **Introduction**

Under civil law anyone involved in allotment management has a common duty of care to ensure that their allotment sites are run in as safe and appropriate manner as possible. This duty of care is extended towards all people accessing the allotment site and its boundaries, including allotment holders and tenants, Parish Council representatives carrying out duties, members of the public, *bona fide* visitors and volunteers. There are also environmental laws to be observed. In order to make sure that the Health and Safety policy is being adhered to, risk assessments will be carried out on the site. The details about these risk assessments are found in this policy.

An emergency action plan is also included within this policy.

### **Responsibilities**

Allotment tenants have a duty of care and are responsible for their own health and safety and for the safety of others whilst on the allotment plot/garden. Allotment tenants have a duty of care to anyone on their allotment, regardless of whether they have given permission for them to be there.

Mistley Parish Council will inform allotment tenants of issues that are directly relevant to them. It is beyond the scope of this policy to give advice about individual gardening activities.

Risk assessments shall be used as a framework for the identification of risks, assessing their relative severity and development of a strategy for dealing with them.

### **Risk Assessments**

The objective of the risk assessment is to remove the risk completely or to reduce the risk to an acceptable level. Reduction levels are defined by the grading system in the risk assessment. Risk assessments shall be carried out at least every 3 months, and will look at risks such as ground hazards, e.g. broken glass on vacant plots, may be hidden by summer weed and grass growth.

Risk assessments apply to the general site which includes plots, thus ensuring that allotment holders are complying with the policy, which is part of their tenancy agreement.

Where possible, Allotment tenants shall be informed in advance of the date of the risk assessment and level of access required on each plot. Every effort will be made to undertake the assessment on a day that is not busy, to minimise intrusion on plot holders' privacy.

### **Risk Assessment Execution**

Risk assessment shall be carried out by the Council's Warden and can be with a member of the Parish Council. The assessment shall include the full site and be undertaken in a methodical manner. For example, walking around the external boundary, entering through the front entrance area and working way around the internal boundary, the communal areas and each allotment plot/garden.

From the assessment, the degree of risk shall be calculated, and the recommended remedial action required to remove or minimise the risk at the time of identification. Notes shall be taken in such a way that they can be reported back to the Parish Council. Thereafter, this assessment below will be completed and submitted to the Clerk for submission to the Parish Council.

While undertaking the assessment the privacy of allotment tenants will be respected at all times, ensuring, for example, that the assessors remain on paths and limit walking on allotment plots/gardens.

### **Risk Assessment Completion**

Once the risk assessment has been completed it shall be taken to the Parish Council who shall then decide how to deal with the identified risks. Records of risk assessments undertaken (along with remedial action notices) will be kept by Mistley Parish Council.

### **Remedial Action**

Mistley Parish Council shall determine who is responsible for carrying out remedial action for each identified risk. Responsibility may lie with Mistley Parish Council or the Allotment Tenant, depending on the nature of the issue.

If remedial action is the responsibility of any person or organisation other than Mistley Parish Council itself, written notification shall be sent immediately. A collective 'notice to remedy' shall be posted at the allotment site detailing all hazards found on plots, correction required and deadline for completion. Allotment tenants shall be reminded of their duty of care in the notice.

If hazards have not been rectified by the due date for rectification, an individual 'notice to remedy' shall be given to the Allotment Tenant concerned. If subsequent notices are ignored ultimately a 'notice to quit' shall be served in accordance with the tenancy agreement.

### **Emergency Action Plan**

In the event of an emergency, for example, if there is a fire or serious accident, please telephone 999.

In the case of fire, allotment tenants and visitors should leave the allotment site immediately and gather at the main entrance. Allotment tenants should ensure that all people working on their allotment plot/garden are accounted for. Allotment tenants are encouraged to look out for other tenants/gardeners or visitors on adjoining allotment gardens to ensure their safety.

In the case of fire or serious accident the allotment tenant must inform the Parish Council.

### Policy Implementation

The Parish Council will oversee Health and Safety issues.

### Enforcement

Enforcement of the policy will be by Risk Assessments and remedial action notices, and in extreme circumstances a 'Notice to Quit' may be issued.

### RISK ASSESSMENT REPORT – MISTLEY PARISH COUNCIL

Mistley Parish Council – Allotments at All Sites			Date of Assessment	
RISK ASSESSMENT				
People at Risk				
Allotment Holder/Tenants	Volunteers	Parish Council Representatives	Visitors	Workmen
Common Hazards	Standard Control Measures	Further Action / Comments	Action Level (High / Medium / Low)	Action Date
Slips trips and falls	Maintain paths / mow / keep clear of debris	Take extra care after snowfall, as any objects left on pathways will be hidden.		
Cuts	Take care with sharp tools remove any broken glass from site. Remove or make safe glass edges on planters.			
Broken glass / glass bottles / broken plant pots	Remove from site each allotment tenant will take equal responsibility			
Plastic, metal, material and wooden debris	Remove from site as part of general rubbish clearance			
Site specific hazards	What is the danger?	Additional local control measures	Further Action / Comments	Action Level and Date

Fires (Bonfires are not permitted).	Risk of burning or damage to property / risk to health / risk to wildlife	Bonfires are not permitted.	Tenants must ensure they have a means to extinguish any fires.	
Emergency contact details	Plot tenants need to know who to contact in emergencies	Emergency contact details can be found on the Parish Council's website.		
Communal pathways	Danger of slips and trips	To be kept mown and clear of debris		
Compost bins / manure storage	Risk of splinters Flies spreading diseases	Compost bins should be checked and made safe and manure should be covered. Individual compost bins should be secure		
Fuel storage	Explosion, fires	Not to be kept on site		
Gates / hedging / fencing	Scratches, bruises and other injuries	Check for loose hinges, awkward locks, unsafe structure, ease of use. To be kept clear and well maintained, fencing / hedging to be well maintained		
Glass and metal	Cuts and Tetanus	All allotment tenants have a responsibility to remove broken glass, immediately		
Animals	Bites / Stings / Disease	No animals to be kept on site without Parish Council's permission.		
Water troughs	Drowning / sickness from drinking dirty water / contamination	Water troughs to be kept free of litter and not contaminated by chemicals or debris. Children must not be left unattended. Troughs should not be used to dispose of pesticides or other forms of contaminants.		
Refuse	Slips / trips /disease	To be removed from site by each allotment holder		
Signs	Splinters / cuts	Check for rough edges, exposed nails		
Structures / sheds / polytunnels	Collapse, splinters	Inspection – to be well maintained by allotment tenants		
Vermin	Diseases / bites	All allotment tenants to monitor continuously and report any significant sightings to the Parish Council.		

		Transmittable diseases should be reported.		
Water storage	Collapse, trips	Rainwater to be stored in specially designed water butts		
Wood (used)	Danger of tetanus	Check for rusty nails		
Pesticides (weedkillers, fungicides, rodenticides, soil treatments, wood preservers)	Poison and contamination of water supplies / environment	Always use pesticides as a last resort. Identify the pest correctly. Determine if pesticides are actually required. Advise other allotment holders if you are intending on using pesticides.		
Stakes, canes and poles	Eye injury or cuts	Allotment tenants should cover protruding ends with can caps.		
<b>COMMENTS / ADDITIONAL INFORMATION</b>				
<ul style="list-style-type: none"> <li>• Each allotment holder responsible for their actions and use of allotment gardens</li> <li>• Each allotment holder is responsible for their health and safety and the health and safety of others</li> <li>• All children must be supervised at all times by parents and / or carers</li> <li>• Continued misuse of allotment plots/gardens or careless actions towards others may result in eviction from the site if deemed necessary by Mistley Parish Council</li> </ul>				
<b>N.B:</b> The main focus of undertaking risk assessments is to identify areas where there is a significant risk, with the requirement to identify and implement controls which will reduce the level of risk to the lowest acceptable level.				
As Assessors we have considered the current and additional controls and consider this activity to have been reduced to a level that is acceptable or as low as is reasonably practicable.				

***Review Body: Annual Parish Council. Review Period: Annually - May Annual Parish Council Meeting. Adopted 20/05/2019. Last Reviewed 20.05.24.***

***Next Review Date May 2025.***