‘Protecting lone workers’ – Health and Safety Executive (HSE) guidance

To: All UK local authorities

Table of Contents

Executive summary

On 17 August, the HSE published guidance on how to keep lone workers healthy and safe.[1] The guidance is for anyone who employs lone workers, or engages them as contractors, including self-employed people or those who work alone. The guidance comes as a response to changing ways of working because of automation and greater use of technology. Types of workers are also

[1] Protecting lone workers (hse.gov.uk)

changing, for example people are working until they are older. This means employers need to think differently when considering how to keep them healthy and safe and to comply with legal duties.

This briefing provides both a summary of the guidance as well as its relevance to local authorities.

1 Definition of a lone worker

The HSE defines a lone worker as 'someone who works by themselves without close or direct supervision'. They exist in all sectors and include those who:

- work alone at a fixed base, for example in shops, petrol stations, factories, warehouses or leisure centres;
- work separately from other people on the same premises or outside normal working hours, for example security staff, cleaners, maintenance and repair staff;
- work at home;
- work away from a fixed base, such as:
  - health, medical and social care workers visiting people's homes etc;
  - workers involved in construction, maintenance and repair including engineers, plant installation and cleaning workers;
  - engineers, assessors and delivery drivers of equipment and supplies who attend construction projects;
  - service workers, including postal staff, taxi drivers, engineers, estate agents, and sales or service representatives visiting domestic and commercial premises;
  - delivery drivers including HGV drivers, van driver/couriers and car/bike-based couriers;
  - agricultural and forestry workers;
- are volunteers carrying out work on their own, for charities or voluntary organisations (fundraising, litter-picking etc.) More information is available here.

2 Changing ways of working

The HSE notes that, due to automation and greater use of technology, ways of working are changing. Types of workers are also changing with people working until they are older. This means employers need to think differently when considering how to keep them healthy and safe.

The ONS's 'Opinions and Lifestyle Survey' found 84% of workers who had to work from home because of the coronavirus pandemic said they planned to carry out a mix of working at home and in their place of work in the future.[2] The survey also found that while the proportion of workers who planned to hybrid work has not changed much since April 2021, that hybrid working pattern

[2] https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/articles/ishybridworkingheretostay/2022-05-23

has shifted more in favour of spending most working hours at home. You can read more about the recent trend towards hybrid working in APSE Briefing 23/03: 'Will changes to working patterns drive interest in the 15/20-minute neighbourhood?' [3]

The gig economy is also increasing and features short-term, informal working relationships. These workers are usually independent contractors, freelancers or self-employed. Many are lone workers, working to deadlines and exposed to specific road risks for work-related journeys.

Equally, lone HGV drivers are likely to experience long, unsociable hours, high physical and mental demands, and often long periods of sedentary work. The HSE states that "employers should monitor drivers' health regularly and adapt their work to accommodate any individual health needs."

3 Health and safety law

The HSE guidance is designed to help employers comply with their legal duties. The law requires employers to think about and deal with any health and safety risks before people are put at risk of harm.

Establishing a healthy and safe working environment for lone workers can be different from organising the health and safety of other workers. Some things to consider in ensuring lone workers are not put at risk include:

- assessing areas of risk including violence, manual handling, the medical suitability of the individual to work alone and whether the workplace itself presents a risk to them;
- requirements for training, levels of experience and how best to monitor and supervise them;
- having systems in place to keep in touch with them and respond to any incident.

Employees and some self-employed workers also have responsibilities to take reasonable care of themselves and other people affected by their work activities and to co-operate with their employers in meeting their legal obligations.

4 Managing the risks

The law says that employers must assess and control the risks in their workplace. That record should include:

- the hazards (things that may cause harm);
- how they may harm people;

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[3] https://apse.org.uk/index.cfm/apse/members-area/briefings/2023/23-03-will-changes-to-working-patterns-drive-interest-in-15-minute-neighbourhoods/

- what you are already doing to control the risks.

Employers must review and update their records, for example if anything changes.

There is no legal requirement to conduct a specific, separate risk assessment for lone workers.

However, an employer has a duty to include risks to lone workers in its general risk assessment and take steps to avoid or control risks where necessary. This must include:

- involving workers when considering potential risks and measures to control them;
- taking steps to ensure risks are removed where possible, or putting in place control measures, for example by carefully selecting work equipment to ensure the worker can perform what is required safely;
- instruction, training and supervision;
- reviewing risk assessments periodically and updating them after any significant changes, such as new staff, processes or equipment;
- when the lone worker is working at another employer's workplace, consulting with that employer to identify any risks and required control measures.

Risk assessment should help an employer decide on the right level of supervision for lone workers. There are some high-risk activities where at least one other person may need to be present. Examples include working:

- in a confined space, where a supervisor may need to be present, along with someone dedicated to the rescue role;
- near exposed live electricity conductors;
- in diving operations, vehicles carrying explosives or fumigation.

The guidance notes that an employer should take account of normal work and foreseeable emergencies such as fire, equipment failure, illness and accidents.

5 Stress, mental health and wellbeing

The Stress Management Standards include factors such as relationships with, and support from, other workers and managers. If these are not managed properly, they can lead to work-related stress. Being away from managers and colleagues could mean good support is more difficult to achieve. Putting procedures in place that allow direct contact between the lone worker and their manager can help.

6 What if a lone worker is working from home?

The HSE guidance notes that employers have the same responsibility for the safety and health of employees who work from home as for any other employees.

This means providing supervision, education and training, as well as implementing enough control

measures to protect the homeworker. An employer should accept liability for accident or injury of a homeworker as for any other employee.

7 Supervision

According to the HSE guidance, level of supervision needed is a management decision, which should be based on the findings of a risk assessment – the higher the risk, the greater the level of supervision required.

Lone workers may need to be accompanied at first where they are:

- new to a job;
- undergoing training;
- doing a job that presents specific risks;
- dealing with new situations.

Technology advances mean there is a wide range of systems and devices available to employers to monitor lone workers. These may include:

- supervisors periodically visiting and observing people working alone;
- pre-agreed intervals of regular contact between the lone worker and employer, using phones, radios, email etc, bearing in mind the worker's understanding of English;
- other devices designed to raise the alarm in an emergency which can be operated manually or automatically;
- implementing a robust system to ensure a lone worker has returned to their base or home once their work is completed.

8 Responsibilities of workers

For the HSE, workers have a duty to take care of their own health and safety and that of others who may be affected by their actions at work. They must co-operate with employers and co-workers to help everyone meet their legal requirements.

If workers have specific queries or concerns relating to health and safety in their workplace, they should talk to their employer, manager/supervisor or a health and safety representative.

Some employers use dynamic risk assessments for lone working situations. This is where workers themselves make operational decisions based on risks which cannot necessarily be foreseen. This is not a substitute for a comprehensive risk assessment.

When a risk assessment identifies circumstances where a lone worker may have to undertake a dynamic risk assessment, they must:

- receive training on how to make that assessment;

- consider the range of possible control measures and what action to take;
- get support for their decisions.

9 APSE comment

As we adjust to a new landscape of working patterns, APSE welcomes the HSE's renewed focus on ensuring employers protect their employees. Most recently, and following on from experimentation during the pandemic restrictions, alongside ongoing recruitment and retention issues, many council services have adopted different ways of working, leading to some work moving from team operations to lone working, including driving alone between tasks and task completion. Specifically in these types of situations assessment of risk, alongside incident reporting, will be an important factor, especially in riskier operations using equipment and machinery whilst working alone.

APSE has conducted several consultations and surveys of our member authorities with the aim of identifying how best to manage lone workers. One survey – Post-Covid Return to Office Working – found many local authorities were ahead of the curve in adopting new agile working policies[4]. The policies take into consideration the types of support available to employees such as support from managers and occupational health teams, and the setting up in some cases of wellbeing teams and allocation of resources to staff wellbeing. Others have encouraged or trained managers to have an awareness of staff well-being issues when staff are working remotely. However, there is still much work to be done.

9.1 How APSE can help you manage your remote workforce

Post-COVID, feedback from members prompted APSE to design an interactive online course for local authorities: Managing Virtually and Remotely for Local Authorities. APSE has developed this course to support managers with responsibility for staff who are working remotely, at home or virtually. With hybrid working the norm across many parts of local government, staff need to feel a sense of belonging more than ever before. Managers need to ensure the health, wellbeing and safety of their staff, as well as manage issues around productivity and service delivery standards.

The course explores best practice in managing and supporting staff remotely or virtually: focussing on health, safety and wellbeing; resilience; nurturing productivity; team development; managing a range of situations; challenging constructively; operating within a health and safety framework to support lone working. You can book your place on our interactive online course here.

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[4] https://apse.org.uk/index.cfm/apse/members-area/briefings/2022/22-34-local-government-survey-post-covid-return-to-office-working/

Sign up for APSE membership to enjoy a whole range of benefits

APSE member authorities have access to a range of membership resources to assist in delivering council services. This includes our regular advisory groups, specifically designed to bring together elected members, directors, managers and heads of service, together with trade union representatives to discuss service specific issues, innovation and new ways of delivering continuous improvement. The advisory groups are an excellent forum for sharing ideas and discussing topical service issues with colleagues from other councils throughout the UK.

Advisory groups are a free service included as part of your authority's membership of APSE and are an excellent way to network with peers in other councils. If you do not currently receive details about APSE advisory group meetings and would like to be added to our list of contacts for your service area, please email enquiries@apse.org.uk.

Our national advisory groups include:

- Building Cleaning and Facilities Management
- Education Catering
- Cemeteries and Crematoria
- Climate Change and Renewables Network
- Housing, Construction and Building Maintenance
- Commercialisation, Income and Trading Network
- Parks, Horticulture and Grounds Maintenance
- Highways and Street Lighting
- Sports and Leisure Management
- Fleet, Transport and Vehicle Maintenance
- Waste Management, Refuse Collection and Street Cleansing

Visit www.apse.org.uk for more details.

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