

# 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.



## Spot Checks & Inspections

The Health & Safety Executive (HSE) is continuing to conduct spot checks and inspections on all types of businesses and workplaces during lockdown. With the increase in the number of coronavirus cases and the national restrictions now in place, all businesses that continue to operate must ensure their workplace is COVID-secure. To protect employees, visitors and customers, employers must make sure that everyone is following the measures that have been put in place to manage the risks from Coronavirus.

During lockdown, HSE will continue to carry out spot checks and inspections on businesses and will be increasing the number of calls and visits to check COVID-secure measures have been implemented in accordance with government guidance. This includes all businesses which are continuing to operate with people coming into the workplace, including rural and farm businesses. HSE may provide advice and guidance to manage risk and protect employees and visitors, but where businesses are not managing this, are likely to take immediate action. This can range from the provision of specific advice, issuing enforcement notices, stopping certain work practices until they are made safe and, where businesses fail to comply, this could lead to prosecution.

Being COVID-secure means businesses need to keep up to date with the latest guidance and put measures in place to manage the risk and protect employees, visitors and customers.

Ensure your farm or estate is safe by following Government guidance on being COVID-secure. Further information on [spot checks and inspections](#) is available on HSE's website.

## Safe Storage of Fertiliser

The explosion of an impounded cargo of ammonium nitrate in Beirut in August last year which killed 200 people, injured thousands and caused widespread destruction across the city, has renewed the spotlight on fertiliser storage.

Fertiliser should be stored in a dedicated, enclosed building capable of protecting the product from the weather, especially direct sunlight. The building should be constructed

of not-readily combustible material such as steel, brick or concrete, and should be a clean environment free of dust and dirt. It should protect the fertiliser from moisture ingress which can cause lumps and dust, influencing spreading accuracy. The floor should have a level, dry and even surface, and the building should be adequately ventilated to dissipate heat and discharge fumes in the event of a fire. The building should be marked with naked flame and smoking prohibition signs and if applicable, with the COSHH symbol indicating that there is an oxidising agent present. Fertiliser should be stored well away from combustible stocks of hay, straw, fuel and oil, and should be separated from other chemical substances such as pesticides and corrosive liquids.

Fertiliser should be used on a 'first-in-first-out' basis. Bags should be stacked in accordance with the manufacturer's guidelines to a maximum of three bags high, interlocked for stability, and be at least one metre away from the building to ensure stacks can be accessed and inspected around their full perimeter. Each stack should contain a maximum of 300 tonnes and there should be a gap of at least one metre between stacks. Where 25 tonnes or more of fertiliser with nitrogen content greater than 15.75% is stored, the Health & Safety Executive and local Fire and Rescue Service must be notified, and if more than 150 tonnes is stored the local Fire and Rescue Service should be informed of the anticipated tonnage.

If fertiliser must be kept outside, store on a raised level, well-drained, dry and smooth surface, positioning a pallet beneath the bags to prevent direct contact with the ground. Bags should be stacked in the form of a pyramid but should be rebuilt immediately if leaning or unstable. Stacks should be sheeted, away from public view, and inspected regularly with any loss or discrepancy reported immediately to the Police. Any split bags or spilt product should be cleared as soon as possible to prevent fertiliser reaching any drains or watercourses.

## **Grazing Livestock**

Spring turn-out will see livestock returned to pasture, but grazing animals can pose a hazard to walkers, horse riders and cyclists, resulting in death or serious injury. This is particularly the case where the UK's extensive network of public rights of way crosses land used for grazing. In addition, the Countryside & Rights of Way Act 2000 (CROW) gave the public the right to walk on mapped access land including mountains, moors, heath, down and registered common land. The two most common factors in these incidents are cows with calves and walkers with dogs.

Section 3 of The Health & Safety at Work etc. Act 1974 requires the employer to ensure, so far as is reasonably practicable, that persons not in his employment are not exposed to risks to their health and safety. Meanwhile, the Occupiers Liability Act 1984 requires an occupier of premises to take such care as is reasonable to ensure that others do not suffer injury by reason of an identified danger. Recommended precautions are as follows:

- Do not keep dangerous or unpredictable animals in fields containing a public rights of way.
- Avoid grazing bulls in fields crossed by public rights of way (with a limited number of exceptions).
- Graze fields not used by the public when cattle are calving or have calves at foot.
- Consider temperament, behaviour and demeanour of livestock and treat all breeds with respect.
- Isolate or remove cattle that are stressed due to weather, illness, calving or disturbance.
- Plan handling and feeding locations to be away from areas of public access.
- Ensure fencing is stockproof and at least 1.3m high but does not obstruct the public right of way.
- Fit gates which are at least of equal height and strength as the perimeter fencing.
- Display signage warning members of the public of the presence of bulls in fields.
- Avoid words such as 'danger' and 'beware' which could indicate prior knowledge of animals being dangerous.
- Use warning signs at 50-100m spacing where electrified stock fencing is being used.
- Remove signs when the animals or danger to which they refer are not present.
- Check cattle and fences and boundaries at least once per day.
- Review public liability insurance to ensure appropriate cover is in place.

## Seed & Fertiliser Bags

Spring drilling will soon be underway and fertiliser applications will be made. Seed and fertiliser bags are large, heavy objects which can cause injury to employees and damage to machinery if not handled appropriately. Seed may be chemically treated and contain dust in the bag, similarly fertiliser is likely to contain dust and the product may be corrosive.

The following points should be observed when handling seed and fertiliser bags:

- Inspect bag lift or hook to be used, check for burs or sharp edges.
- Inspect lifting hoops prior to each lift, do not attempt to lift if damage is observed.
- Avoid leaving bags outside or uncovered to prevent loss of integrity.
- Observe for hazards including people, animals and overhead power lines.
- Approach bags carefully and at low speed.
- If a banksman is used, ensure they are visible at all times.
- Ensure there is clear communication between the operator and banksman prior to starting work.
- Position lifting loops according to the manufacturer's instructions.
- Lift bags smoothly without snatching to prevent tearing or ripping of lifting hoops.
- Do not travel long distances over rough or uneven ground when handling bags.
- Carry bags close to the ground to prevent the loader becoming unbalanced.
- Keep the bag lift parallel to the ground when lifting bags, do not tilt.
- Position bags centrally over the tank or hopper.

- Lower bags so they can be reached by the operator, without the contents being blown away.
- Do not stand underneath a bag when lifting or discharging its contents.
- Empty the bags using either the discharge chute or a long pole and blade.
- Dispose of empty bags using an approved waste disposal contractor.
- Use personal protective equipment including goggles, overalls, gloves and safety boots.
- Note the location of the nearest first aid facilities including eyewash bottle or station.

## **User Worked Level Crossings**

There are approximately 6,000 level crossings on the railway network of which just over 2,200 are ‘user worked’ private crossings. These crossings are frequently ‘passive’ and unprotected, having no automatic barriers, warning lights or alarms to warn users of oncoming trains. They provide access to fields, farms and hamlets but account for many incidents on the railway each year, creating a significant accident risk with human error being a contributory factor with potential to cause a multi-fatality incident through derailment of a train.

Farm vehicles are the third most likely category of vehicle after lorries and cars to be involved in incidents at level crossings. On average, one incident per week is reported involving a farm vehicle at a level crossing. In the last 10 years, five people have been killed in vehicles at level crossings on farmland.

Network Rail have issued the following guidance for farmers on staying safe at level crossings:

- If there is a phone, speak to the signaller before and after you cross.
- Do not rely on train timetables – freight trains and diversionary routes are unscheduled services.
- Open both gates before crossing and always close them after you.
- Check and follow the signs and signals every time you cross.
- Cross quickly and stay alert – do not stop on the crossing.
- Check everyone knows these instructions to get across safely, every time.
- It is your legal responsibility to ensure your workers and family comply.

## Enforcement Activity

The following are examples of recent prosecutions, and conclusions for safe practice on farms and estates.

### Fatal Incident Using High Pressure Water Jetting Equipment

A company was fined after an employee who was using high pressure water jetting equipment to clear paint residue from pipes was struck by the end of a flexi-lance, causing a fatal injury.

The HSE found the company recognised the risks of operating the equipment but failed to implement or enforce appropriate control measures to mitigate the risks. Training and supervision were not up to standard.

The company pleaded guilty to breaching Section 2(1) of the Health & Safety at Work etc. Act 1974 and was fined £2,000,000 and ordered to pay £30,000 in costs.

**Lesson Learnt:** High risk activities require risk assessment and safe systems of work to protect employees. It is not good enough to assume you are doing all you can, just because there have been no previous incidents.

### Company Fined After Employee Struck by Forklift Truck

A company was fined after an employee was struck by a forklift truck and suffered a serious brain injury.

The HSE found there was inadequate control of workplace transport risks, lack of segregation between vehicles and pedestrians, no safe pedestrian crossings where vehicle and pedestrian routes crossed, and insufficient safety signage to highlight hazards.

The company pleaded guilty to breaching Regulation 4(1) of the Workplace (Health, Safety and Welfare) Regulations 1992 and was fined £520,000 and ordered to pay £8,014 in costs.

**Lesson Learnt:** Vehicle and pedestrian traffic must be segregated such that both can circulate in a safe manner.

## Manufacturer Fined After Employee's Arm Caught in Machinery

A company was fined after an inexperienced agency worker was pulled into a spinning lathe and sustained open fractures to his right arm, resulting in permanent weakness and causing bruising and skin abrasions.

The HSE found neither the risk of entrapment nor control measures required to avoid it had been identified. The risk was increased as the lathe was modified so operators had to work closer to the entrapment hazard. The company failed to effectively prevent access to dangerous parts of the machinery, failed to provide a safe system of work, and had not provided adequate instruction and training.

The company pleaded guilty to breaching Sections 2 and 3 of the Health & Safety at Work etc. Act 1974 and was fined £22,000 and ordered to pay £7,021 in costs.

**Lesson Learnt:** Work equipment must be suitable for the purpose for which it is used including preventing access to dangerous parts of machinery and stopping movement before any part of a person enters a danger zone. Employees who use work equipment must have received training in methods and risks, and have adequate health and safety information available to them.



## Get in Touch

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



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