



Falls from Height NEU guidance for members, reps and local officers

This NEU briefing provides guidance to safety representatives and members on taking action in schools to reduce the incidence of accidents and injuries due to falls from height, including the legal requirements on employers, practical steps which can be taken and sources of further advice and information.

What the law says

The Work at Height Regulations 2005 apply to all work at height where there is a risk of a fall liable to cause personal injury. A place is 'at height' if (unless these regulations are followed) a person could be injured falling from it, even if it is at or below ground level. They require that "every employer shall take suitable and sufficient action to prevent, so far as is reasonably practicable, any person falling a distance liable to cause personal injury".

'Work' includes moving around at a place of work (except by a staircase in a permanent workplace) but not travel to or from a place of work. For instance, a sales assistant on a stepladder would be working at height, but we would not be inclined to apply the regulations to a mounted police officer on patrol.

Regulation 6(3) of the Work at Height Regulations states that employers¹ must do all that is reasonably practicable to prevent anyone falling. They must avoid work at height being carried out wherever possible. Where it is unavoidable, they must put in place measures, such as suitable work equipment and procedures, to minimise the risk of a fall, and the risk of injury should someone fall despite suitable measures being put in place.

Furthermore, under regulation 14, employees must report any safety hazard to the employer, and must use the equipment supplied properly (including safety devices), following any training and instructions. If the employee thinks it would be unsafe, he/she should seek further instructions before continuing.

The duties of employers under the Management of Health and Safety at Work Regulations 1999 to undertake risk assessments include the duty to identify, assess and control risks on their premises from slips, trips and falls. This duty applies to risks to employees and others, including pupils, contractors and visitors. Education employers

¹ Teachers who work in a local authority maintained community school or voluntary controlled school are employed by the local authority. The local authority is responsible for complying with the legal duties which the Act places on employers. (Although the governing body is not the employer in these instances, it does carry some responsibilities as a result of its delegated powers of management).

Teachers who work in a foundation school or voluntary aided school are employed by the governing body of the school rather than the local authority. If you work in a sixth form college, you are employed by the college corporation. If you work in an academy chain, your employer is the academy trust, and in stand-alone academies the employer is the governing body. It is those bodies which carry the legal duties of employers under the Act.



must be able to show that they have considered the risks and instituted effective control measures.

The Workplace (Health, Safety and Welfare) Regulations 1992 contain specific requirements upon employers relating to the condition of floors and traffic routes which complement the risk assessment provisions outlined above.

Regulation 12(3) specifies that “so far as is reasonably practicable, every floor in a workplace and the surface of every traffic route in a workplace shall be kept free from obstructions and from any article or substance which may cause a person to slip, trip or fall”.

Regulation 9 specifies that workplaces should be kept clean and free of obstructions. Regulation 13 specifies that “so far as is reasonably practicable, suitable and effective measures shall be taken to prevent any person falling a distance likely to cause personal injury”.

Employers are also required under the Safety Representatives and Safety Committees Regulations 1977 to consult trade union safety representatives on health and safety matters. Safety representatives must be given access to information relevant to the health and safety of the workers they represent, including any information relating to potentially hazardous conditions, such as slip, trip and fall risks.

Taking action on falls from height

The NEU and Health and Safety Executive (HSE) share the view that falls from height occur usually due to poor management control rather than equipment failure. Prevention is a high priority. The majority of accidents can be avoided with proper planning and procedures in place at the outset, and adhered to thereafter. Common factors in falls from height accidents include:

- failure to recognise a problem
- failure to ensure that safe systems of work are followed
- failure to provide safe systems of work
- inadequate information, instruction, training or supervision provided
- failure to use appropriate equipment
- failure to provide safe equipment.

Risk assessments should be carried out to assess the risks involved in working at height. This should be done prior to teachers carrying out the task. In addition, staff should always think of their personal safety and assess the risk from what they propose to do. Employers guidelines should always be adhered to. The most common incidents involve over-reaching; over-balancing; equipment failure; misuse of equipment; unexpected movement – particularly where ladders are involved; and the failure of a fragile surface. Staff can minimise risk and offer more protection to themselves by bearing in mind the following guidelines.



Working at height: important points to consider

- Displays: prepare displays as far as possible before putting them up. It is important to note that the NEU advises teachers to use professional judgement in deciding whether the setting up and maintenance of displays is a task which is more appropriately undertaken by support staff colleagues, or whether it is a task which requires their own professional skills. It is important to note that taking down displays and putting coloured paper on the wall, prior to setting up the display, should not be viewed as part of the teacher's role.
- Use suitable equipment: school furniture is not suitable for standing on and all schools should have suitable equipment for working at height, eg 'kick-step' type stools, properly designed and maintained low steps and poles for opening high windows. If you cannot reach without over-stretching, you should ask for help from a premises manager or caretaker. If there are insufficient numbers of window poles or kick-step stools in your school, ask for more. Staff meetings are a good opportunity to raise issues such as lack of equipment or lack of access to equipment.
- Maintenance/lack of equipment: poor maintenance, such as damaged window mechanisms, could create hazards and should be reported. If you are worried about the lack of equipment or its poor quality, you should inform your head teacher or NEU safety representative.
- Footwear: wear suitable footwear.

Stairways and slopes

- Flooring: floor surfaces should be suitable. Floors should be regularly checked for damage and problems dealt with immediately. Any mats should be securely fixed.
- Obstructions: obstructions should be removed or suitable barriers and/or warning notices used.
- Lighting: lighting should be sufficient. Handrails and floor markings should be available where necessary.
- Spillages: work methods should minimise slippages. Spills should be cleaned up immediately. Alternative routes should be available or warning signs used when the stairs or slope is wet and slippery.

Reporting and investigating accidents

Where accidents do occur, it is essential that they are immediately reported to the school's management and the causes of every accident are investigated. In this way, lessons can be learned for the future and steps taken to improve procedures and precautions where appropriate. Safety representatives may also wish to exercise their statutory rights to investigate health and safety issues where accidents occur.

Accidents should be reported externally to the local authority/academy trust and, in the case of accidents which result in death or major injury or which result in an employee being off work for more than seven days, the HSE. This can be done online at: hse.gov.uk/riddor/when-do-i-report.htm

This is a change from pre-2013 Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) as previously any work-related injuries which



caused three or more days absence from work needed to be reported. Now such injuries must be recorded by the employer, and reported to the HSE if the absence reaches seven days.

Action points for safety reps

1. Make sure that appropriate measures are in place in the school to reduce falls from height accidents and that procedures are known to all staff and pupils.
2. Make sure appropriate arrangements are also in place for the reporting and investigation of accidents which do occur.

Further guidance

[Working at Height: A brief guide](#)

[HSE website Working from Height](#)

The HSE website also provides [guidance on slips and trips in education](#).

This has information for employers on their requirements under the law, causes of and solutions to slips and trips in education.