

Tunbridge Wells Commons Conservators

Health and Safety Policy Statement

Introduction

Tunbridge Wells Commons Conservators (TWCC) accept that they have a responsibility, so far as is reasonably practicable and as required by law, to ensure the health, safety and welfare at work of all its employees, contractors, volunteers and other persons who may be affected by its acts or omissions. The Conservators are committed to maintaining high standards of health, safety and environmental protection in all its operations.

Objectives

- to comply, as a minimum, with relevant statutory requirements, the Common Law duty of care and safety policies;
- to prevent injuries and ill-health to employees, contractors, volunteers and members of the public;
- to ensure everyone understands and carries out their responsibilities for the safety of themselves, their colleagues and members of the public.

Requirements

- Risk assessments for members of staff to identify hazards, both in the office and on the Common.
- Training for members of staff where a requirement is identified.
- The Warden to patrol the Commons regularly and record any potential hazards and how they are dealt with.
- Accident and incident logs to be maintained.
- Accident and incident forms to be issued to all contractors.
- A copy of the contractor's health and safety policy must be reviewed and retained by the Conservators when a contract is awarded.
- For ad hoc work, only competent and reputable contractors to be employed who can demonstrate a good understanding of health and safety requirements and co-operate with the Warden. They should be able to demonstrate and prove that they have received all relevant training.
- Any vehicles used on Conservators business must have insurance for business use and the driver shall have a valid driving licence.

Limitation of responsibility

Members of the public have a duty of care to themselves on Common land. Unless TWCC set out to create a risk, or is reckless about whether a risk is created, TWCC is not liable for any injury caused by:

- any natural feature of the landscape including any tree, shrub, plant, river or stream
- any ditch or pond, whether natural or not
- people passing over, under or through a wall, fence or gate, except if they're making proper use of a gate or stile

The interpretation of the legislation on liability to the public is a matter for the courts to decide.

as referenced in this link: <https://www.gov.uk/guidance/open-access-land-management-rights-and-responsibilities#your-liability-to-the-public>

Responsibilities

The Conservators are ultimately responsible for managing their health and safety responsibilities on the Commons and of employees and in the office.

The Warden has day to day responsibility for managing TWCC's health and safety responsibilities on the Commons and the Clerk has day to day responsibility for managing TWCC's health and safety responsibilities in the office. These responsibilities include ensuring that risk assessments have been undertaken and documented, that accident and incident logs are maintained, reviewing and retaining contractors health and safety policies prior to new contractors being engaged and annually thereafter and reviewing at least annually contractors' vehicle insurance and driving licenses.

Training

As TWCC's health and safety responsibilities are limited, formal employee training is not considered necessary. Staff training will be reviewed annually as part of the risk register review.

Insurance

It is the policy of TWCC to take out insurance for employers' liability, public liability and personal accident.

Last reviewed: November 2020
Date of next review: November 2021