



**LoneALERT**

**LONE WORKER PROTECTION SYSTEMS**

IMPLEMENTATION GUIDE EXTRACT

*“The legalities of lone working”*

[WWW.LONEALERT.CO.UK](http://WWW.LONEALERT.CO.UK)

Written and developed for Advance IT Group by  
Jackie Dolan, Managing Director of the National  
Network of Training Co-Ordinators

## The Legalities of Lone Working

---

The Health and Safety Executive (HSE) is frequently asked the question is it legal to work alone. Working alone is not in itself against the law, and it will often be safe to do so. However, the law requires employers and others to think about and deal with any health and safety risks before people should be allowed to work alone. It is the employer's duty to assess the risk to their staff and take appropriate measures to reduce it.

### **The Health and Safety at Work etc Act 1974 (HSW Act)<sup>1</sup>**

Employers have a legal duty under this Act to ensure, so far as it is reasonably practicable, the health, safety and welfare at work of their employees. Employers owe their employees a general duty of care to provide a safe place and system of work. This duty arises from the existence of an implied term in every employee's contract of employment and as a result of the common duty of care under law. The employers' duty of care to ensure a safe and healthy working environment is clearly established in health and safety legislation. The matters to which that duty extends include:

- 'the provision and maintenance of plant and systems of work that are, so far as is reasonably practicable, safe and without risk to health'
- 'the provision of such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety at work of his employees'
- 'The provision and maintenance of a working environment for his employees that is, so far as is reasonably practicable, safe and without risk to health...'

In addition there is an obligation to draw up and publish written safety policies to include these matters.

### **The Management of Health and Safety at Work Regulations 1999**

The Management of Health and Safety at work Regulations 1999: Regulation 3 states that every employer shall make a suitable and sufficient assessment of -

- the risks to the health and safety of his employees to which they are exposed whilst they are at work; and
- the risks to the health and safety of persons not in his employment arising out of or in connection with the conduct by him of his undertaking

### **The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)**

Employers must notify their enforcing authority in the event of an accident at work to any employee resulting in death, major injury, on incapacity for normal work for three or more days. This includes any act of non-consensual physical violence done to a person at work.

### **Safety Representatives and Safety Committees Regulations 1977 (a) and The Health and Safety (Consultation with Employees) Regulations 1996 (b)**

Employers must inform, and consult with, employees in good time on matters relating to their health and safety. Employee representatives, either appointed by recognised trade unions under (a) or elected under (b) may make representations to their employer on matters affecting the health and safety of those they represent.

---

<sup>1</sup> The Health and Safety at Work Act, HSE (1974), London, HMSO. (1974)

### **The Corporate Manslaughter Act**

The Corporate Manslaughter and Corporate Homicide Act 2007 is a landmark in law. For the first time, companies and organisations can be found guilty of corporate manslaughter as a result of serious management failures resulting in a gross breach of a duty of care. The Act, which came into force on 6 April 2008, clarifies the criminal liabilities of companies including large organisations where serious failures in the management of health and safety result in a fatality.

### **BS8484**

BS8484 is the British Standard for the provision of lone worker device services, introduced in September 2009 (revised 2011). The standard defines both lone worker devices and Alarm Receiving Centre (ARC) compliance as well as covering aspects such as sound financial grounding, secure data protection, quality training and full audit capability from the supplier of a lone worker solution.