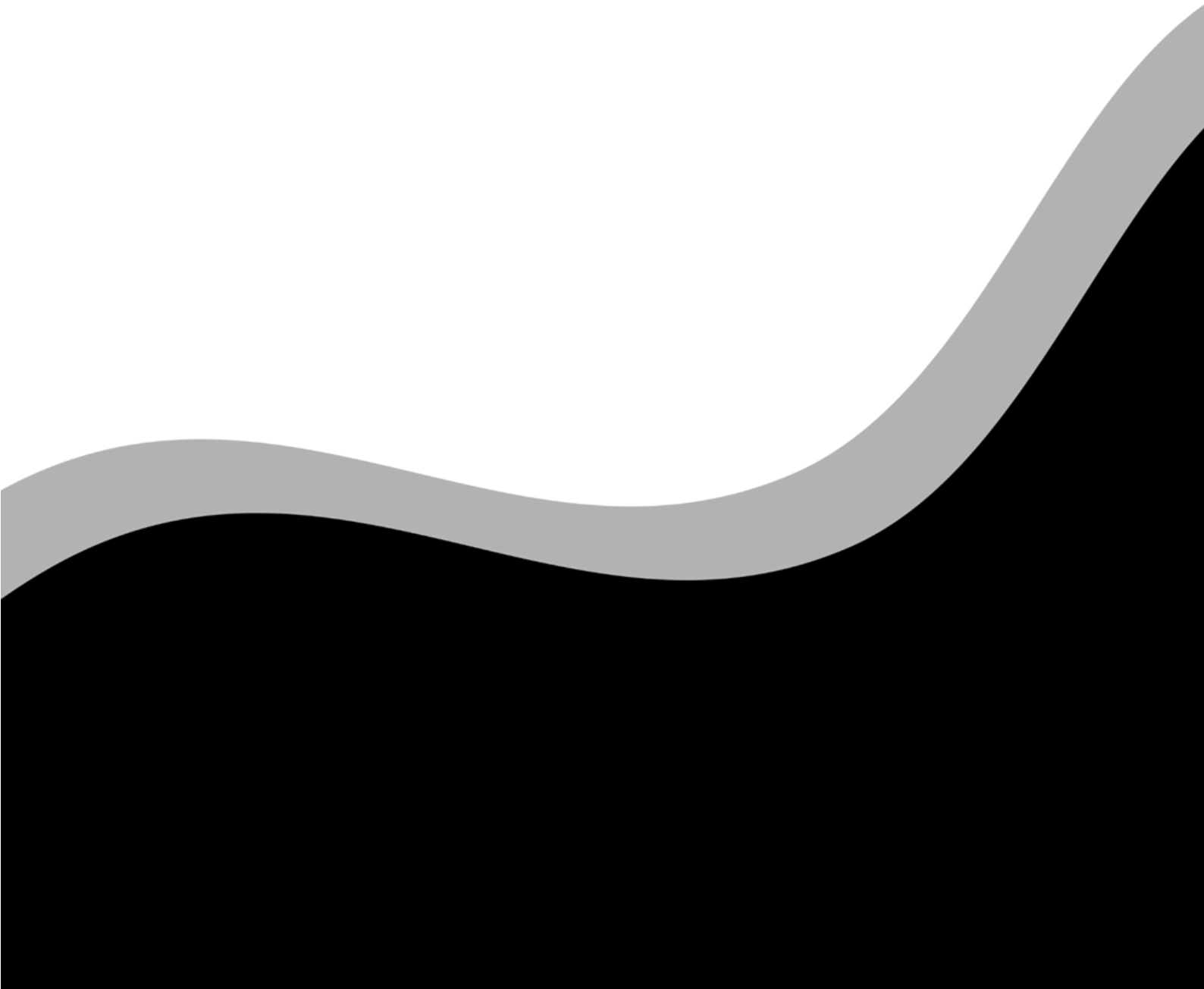




**Instant Risk Guidance**

# **TR 14 Public Liability**



## TR 14 Public Liability

Everyone has a legal duty to behave in a reasonable manner towards others. Those who fail to do so will be legally obliged to pay compensation to anyone who is injured or whose property is damaged as a result of their actions. These liabilities may arise through the careless or negligent acts of business owners and their employees, due to defects in premises, or under certain Statutes (Acts of Parliament) which impose liabilities. Compensation could include financial recompense for any expenses incurred, loss of earnings, possible loss of future earnings, pain and suffering, and perhaps other items.

Measures to control the public liability risk for premises in general include, but are not limited to, ensuring that:

- The building fabric externally and internally is inspected as a matter of routine and all necessary repairs and renewals effected.
- All parking, pathways and other external hardstanding areas are inspected and maintained as required, together with boundary walls, fences, etc., and paths and parking areas provided with adequate lighting.
- Emergency exits should be maintained clear of obstruction and suitably illuminated.
- Paths and parking areas are kept free of snow and ice and suitably treated.
- The electrical installation is inspected and tested periodically and defects remedied.
- Effective safety signage is provided and maintained throughout the premises.
- All hazardous materials and refuse are securely stored.
- Any water course within the grounds of the premises, including any sustainable drainage provision, should be risk assessed and the appropriate safety measures implemented and maintained.
- Trees within the grounds of the premises should undergo a safety risk assessment and an inspection programme implemented where appropriate.

- Visitor access (including contractors) to the premises should be effectively controlled. Where possible, visitors should always be accompanied. Visitors and contractors should be fully instructed on the premises health and safety provisions and issued with personal protective equipment as needed.
- Risk assessment method statements concerning the operations of contractors should be prepared as appropriate, all such work adequately supervised and contractors requested to furnish proof of adequate public liability insurance.
- An assessment should be made as to the presence of any asbestos-containing materials in the premises and the control measures to comply with legislation determined. A register of all such materials should be kept and contractors informed accordingly.
- A documented assessment should be completed in respect of the risk from legionella presented by the water systems. The assessment should be in accordance with the principles established in the *HSE Approved Code of Practice L8: Legionnaires' disease: The control of legionella bacteria in water systems*, available at <https://www.hse.gov.uk/pubns/books/l8.htm>
- Access to goods yards is restricted and on-site transport operations risk assessed as required.
- All activity in respect of inspection and upkeep of the premises should be formally documented and all records retained.
- The risks to public health arising from potential air and water pollution in connection with any manufacturing processes conducted is fully assessed and suitable controls implemented.

Public buildings and premises in sectors such as healthcare, sport and leisure and hospitality, present heightened public liability risks for which special risk control considerations apply beyond the scope of this guidance.