

HYC's Approach to Health, Safety & the Environment

1. It is the Humber Yawl Club's policy to provide a safe and secure place with no accidents, no harm to people, and no damage to the environment or property.
2. As HYC has no employees, Section 4 of The Health and Safety at Work etc Act 1974 (H&SW Act) applies.
3. RYA Guidance Note 2 for Managing Health, Safety and Food Hygiene – Ashore, (For Clubs with Premises or Equipment for Use by Members), applies to HYC.
See Appendix 1.
4. RYA Guidance Note 2 summarises the requirements of Section 4 of The H&SW Act as follows:

Section 4 protects those who are not employees in certain specified circumstances. It places duties on persons in control of non-domestic premises where those premises are made available to people as a place of work or where people may use plant or substances provided there for their use.

Reasonable measures must be taken by those in control to ensure, so far as is reasonably practicable, that the premises and any plant or substance in the premises, or provided for use there, are safe and without risks to health.

(Statutory)

5. HYC's Insurance Schedule (issued by with A.J. Gallagher) applies the RYA Club Insurance Scheme.
See Appendix 2 for the Policy Wording.

Policy Wording Part E Claims Procedures - Conditions Precedent (Page 6 of Policy) states the following:

It is a Condition Precedent to our liability that: **2. You must take reasonable precautions to prevent accidents and to comply with any statutory enactment or instrument, by-law or other local regulation, and shall maintain all buildings, furnishings, ways, works, machinery and plant in sound condition.**

(Statutory)

6. RYA Guidance Note 2 specifies that since HYC provides premises and equipment for its members, then the following regulations and guidance should help when checking that current health and safety arrangements are relevant and appropriate. (Includes some minor amendments and additions to make more specific for HYC).
 - 6.1 Safety and maintenance rules for equipment:-
 - 6.1.1 Provision and Use of Work Equipment Regulations 1998 (PUWER)
 - a) **Ensure that the work equipment is suitably constructed, properly selected and only used for the correct tasks.**
 - b) **Maintain the equipment and keep logs for any machinery maintenance, (e.g. boat engines).**
 - c) **Restrict the use of dangerous equipment to "authorised persons in their use and maintenance (e.g. boat yard, workshop equipment).**
 - d) **Provide adequate training and health and safety information to other users (e.g. club members).**
 - e) **Make sure that any second hand or hired equipment is also fit for the purpose and safe for use.**
 - f) **Create a clear system for reporting of defects and prompt repair.**

(Statutory)

See Appendix 3.

For further guidance and information contact the HSE: www.hse.gov.uk/pubns/index

6.1.2 Lifting Operation and Lifting Equipment Regulations 1998 (LOLER)

- a) **Ensure all lifting equipment, such as cranes, travel hoists, chains and boat retrieval winches are annually examined or inspected by a competent person – (Every 6 months for lifting accessories or if lifting people). (Lifting accessories are pieces of equipment used to attach the load to lifting equipment, such as; slings, chains, strops, hooks and shackles).**
To simplify scheduling at HYC, it may be agreed with the competent person to apply a 6 month interval for all lifting equipment.
To ensure sufficient independence and impartiality at HYC, the competent person shall be from an external specialist organisation.
- b) **Assess the risk to safety of all equipment.**
- c) **From assessment create and maintain a safe system of work.**
- d) **Create clear and well published safety rules for the use of lifting equipment.**
- e) **Create a clear system for reporting defects and prompt repair.**

(Statutory)

See Appendix 4.

For further guidance and information contact the HSE: www.hse.gov.uk/pubns/index

6.2 Club premises fire prevention:- The Regulatory Reform (Fire Safety) Order 2005

- a) **Have a “Responsible Person” – The person responsible for the premises.**
For HYC this is the respective North Bank / South Bank Mate.
- b) **Appoint a Competent Person (This could be the Responsible Person) to carry out the preventative and protective measures required by the Order). (It may be a different Competent Person for different specific measures).**
- c) **Carry out a Fire Risk Assessment which must be reviewed by the Responsible Person regularly. The significant findings of the Fire Risk Assessment, the actions to be taken as a result of the assessment and details of anyone especially at risk shall be recorded.**

Note: The maximum inspection and test intervals specified in BS 5839 (Fire Detection & Alarm Systems for Buildings), BS 5306 (Fire Extinguishers) and BS 5266 (Emergency Lighting) are as follows:

- | | |
|---|----------|
| • Fire Detectors and Fire Alarm | 6 Months |
| • Fire Extinguishers (Includes Fire Blankets) | 1 Year |
| • Emergency Lighting | 1 Year |

In addition, more frequent inspections and tests shall be carried out as follows:

- **Testing of the fire alarm system (and any automatic fire door releases) shall be carried out weekly using different manual call points each time (if applicable) and recorded in a log**
- **Inspection of fire extinguishers shall be carried out at least monthly and recorded in a log**
- **Testing of emergency lighting shall be carried out monthly and recorded in a log**

It shall also be established from the Fire Risk Assessment whether any other preventative or protective measures are required.

- d) **Provide appropriate fire precaution information, instruction and training to your staff.**
- e) **Fire fighting equipment, emergency routes, exits are maintained by the Competent Person.**

(Statutory)

See Appendix 5.

6.3 Provision of a First Aid box:- Health and Safety (First Aid) Regulations
The minimum first-aid provision at each HYC Haven shall include:-

6.3.1 **A suitably stocked first aid box which should, in general, contain:**

- **A leaflet giving general first-aid guidance (e.g. HSE leaflet)**
- **20 individually wrapped sterile adhesive dressings**
- **Two sterile eye pads**
- **Four individually wrapped triangular bandages**
- **Six safety pins**
- **Six medium sized wound dressings**
- **Two large wound dressings**
- **Pair of disposable gloves**
- **Tablets and medicines must not be kept in First Aid box**

(Duty of Care)

6.3.2 **An appointed person to take charge of first-aid arrangements.**

For the relatively low risk environment of a Club it is not compulsory to have a qualified First-aider.

(Duty of Care)

6.3.3 **As the person in charge of first aid may be a volunteer and not always on the premises information to employees and members is particularly important. This could be provided in the form of a Notice board information or Health and Safety Executive leaflets.**

(Duty of Care)

6.3.4 **The person in charge of first aid shall ensure that eye wash bottles and defibrillator are maintained available for use.**

(Duty of Care)

For further guidance and information contact the HSE:- www.hse.gov.uk/pubns/index

6.4 Controlling Hazardous Substances:- Control of Substances Hazardous to Health Regulations (COSHH)

- a) **Start by making a list of any substances the club uses that may be harmful to health if not properly used. Packaging labels and suppliers data sheets will help you do this.**
- b) **Carry out a suitable and sufficient Risk Assessment where volunteer club members and other helpers are liable to be exposed to these harmful substances. To maintain standards this assessment should be reviewed from time to time. – See Appendix 2 of RYA Guidance Note 2 that provides Guide Notes on “How to Carry Out a Club Risk Assessment”.**
- c) **Put in place control measures and ensure they are properly used.**
- d) **Use the supplier’s health and safety data sheets to provide appropriate information and training to all volunteer club members and other helpers.**

(Duty of Care)

In the context of a typical Club it is unlikely that many hazardous substances will be used.

For further guidance and information contact the HSE:- www.hse.gov.uk/pubns/index

6.5 Risk Assessments

6.5.1 Irrespective of whether staff are employed, the provision of cranes, winches, escort boats or other equipment for use by the members creates a statutory duty to ensure that the equipment is safe.

The Club then has a non-statutory “duty of care” to ensure, so far as is reasonably practical, that the equipment is used safely.

See Appendix 2 of RYA Guidance Note 2 that provides Guide Notes on “How to Carry Out a Club Risk Assessment”.

When carrying out a Risk Assessment of your equipment and premises don’t forget to take into account the following areas and issues:

- a) Club boatyards and Boat parks
- b) Places where slips, trips and falls may occur
- c) Restricted areas during boat movement
- d) Safety with ladders – making them secure in use
- e) Electricity - use of RCD trip devices, outdoor cabling, adapter capacity, proper plugs and sockets
- f) Protective clothing whilst working on your boat
- g) Hazards in using anti fouling, cleaners etc.
- h) Summoning help!
- i) Equipment - who can and can't use it, who maintains it
- j) Boat lifts and mast craning – procedures
- k) Chocking up boats – proper supports and wedges – safe working space
- l) Boat winches – maintenance?
- m) Slipways – surfaces
- n) Fuel storage – risk of fire and explosion
- o) Abandoned boats
- p) Use of tools and equipment
- q) Premises – wiring, fire extinguishers, escape routes
- r) Support boats – equipped and all parts working
- s) Parking areas – safety of pedestrians and boat movements

6.5.2 HYC’s Risk Assessments shall be reviewed and amended as necessary by the HYC General Committee at least every three years and whenever any related untoward incident or near miss occurs. *(Duty of Care)*

7. Fixed Electrical Installations

7.1 HYC’s Insurance Schedule stipulates “13. Electrical Circuit Condition Precedent” of the Policy Wording. See Appendix 2 for the Policy Wording.

7.1.1 Policy Wording Part I Conditions Precedent - 13. Electrical Circuit Condition Precedent (Page 14 of Policy) states the following:

13.1 It is a Condition Precedent to our liability that: 13.1.3 **all electrical circuits will be tested at least once every 5 years from the date of the last test by a properly qualified electrical engineer**; and 13.2 any defects found during such testing will be remedied or any recommendations made will be carried out immediately in accordance with the requirements and regulations of the Institute of Electrical Engineers; and 13.3 you will have obtained a certificate confirming the appropriate works have been undertaken; and 13.4 you will make such certificate available to us on our request.

(Insurance – Also see 7.1.2 & 7.2)

7.1.2 A.J. Gallagher clarified with the underwriters what was meant by “all electrical circuits” and replied as follows:

“They have advised that in this instance the Electrical Circuit Condition Precedent would apply to both Clubhouses and to any fixed wiring circuits within your outbuildings. That said, whilst it is not an insurance requirement that you supply us with an appropriate electrical inspection certificate in force for the other fixed wiring e.g. for the pontoon, you do owe a duty of care to any end users of your facilities given that there will exist liabilities to your members and possibly the general public, so regular documented checks would need to be carried out by an appropriately qualified person to ensure that all is in order and that any defects noted are remedied. You would also need to ensure that you are complying with all appropriate legislation and Health and Safety requirements.”

7.2 HYC have therefore determined to proceed as follows:

HYC shall arrange for all electrical circuits (i.e. clubhouses, outbuildings, yards and pontoons) to be inspected and tested by a qualified electrical engineer with the following maximum intervals as specified by BS 7671 (Requirements for Electrical Installations. IET Wiring Regulations.):

- Clubhouse, Outbuildings & Yards **5 Years**
- Pontoons **1 Year**

(Insurance + Duty of Care)

8. Portable Electrical Equipment

See Appendix 6. (HSG107 Table 1 on Page 17 shows suggested inspection and test intervals).
HYC Havens may be regarded as a “Light Industrial” type of business activity.

8.1 **Portable Appliance Testing (PAT) or all portable equipment shall be conducted annually by a qualified electrician.**

(Duty of Care)

8.2 **Portable electrical work equipment (i.e. power tools, jet washer, welding set, extension leads etc) shall be visually inspected before initial use and then 6 monthly by the NBM/SBM or their nominee.**

(To be carried out in advance of each Working Weekend).

(Duty of Care)

9. Food & Drink

9.1 RYA Guidance Note 3 for Managing Health, Safety and Food Hygiene – Ashore, (For Clubs providing Food and Drink), applies to HYC.

See Appendix 7.

9.2 **Anyone involved in the HYC’s provision of food or drink shall make sure it is safe to consume.**

(Statutory)

9.3 **The frequency of events where a HYC Haven provides food or drink shall be limited to less than five days, whether consecutive or not, in any period of five consecutive weeks.**

If this frequency is exceeded, the premises needs to be registered with the local authority, as per Regulation 2 of the Food Premises (Registration) Regulations 1991.

[The Food Premises \(Registration\) Regulations 1991 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/1991/1496/contents/make)

The local Environmental Health Officer will be able to advise what hygiene standards are then expected.

All such registered premises must then comply with :-

a) Food Safety Act 1990

b) Food Hygiene (England) Regulations 2005

(Statutory)

9.4 Alcohol Licensing for Club Bar

9.4.1 **A Club Premises Certificate is required for selling or supplying alcohol to members or guests, which must be prominently displayed in the club premises. A Club Premises Certificate remains valid until surrendered, suspended or withdrawn, and an annual fee must be paid to the licensing authority.**
(Statutory)

9.4.2 **The purchase of alcohol for the club, and the supply of alcohol by the club, must be managed by a committee whose members are members of the club; have attained the age of 18 years; and are elected by the members of the club.**
(Statutory)

9.4.3 Home Office Guidance on Mandatory Licensing Conditions for Suppliers of Alcohol is provided in Appendix 8 and includes the following:

- a) **The Club Premises Certificate holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. This must as a minimum require individuals who appear to the person serving alcohol to be under the age of 18 years of age to produce on request (before being served alcohol) appropriate identification. (See Appendix 8 for example).**
- b) **The club must ensure customers are provided with potable (drinking) water for free if they ask for it. It does not need to come from a tap.**
- c) **To allow for the provision of small measures, the club must ensure that the following drinks if sold or supplied for consumption on the premises are available in the following measures:**
 - beer or cider - half pint
 - gin, rum, vodka or whisky - 25ml or 35ml
 - still wine in a glass - 125ml

The above condition does not apply if the alcohol in question is sold or supplied having been made up in advance ready for sale or supply in a securely closed container. For example, if beer is only available in pre-sealed bottles the condition to make it available in ½ pints does not apply.

- d) **As well as making the drinks available in the above measures, the club must also make their availability clear on menus, price lists or other printed material, and ensure that these are available to customers on the premises (for example, at the bar).**

(Statutory)

Other requirements for clubs operating under a club premises certificate are in Part 4 of the [Licensing Act 2003](#).

9.5 Alcohol Licensing for Temporary Events

Where there is no Club Premises Certificate in place then a Temporary Event Notice must be submitted, accompanied by the prescribed fee, to the licensing authority if it is proposed to supply alcohol on the premises during an event period not exceeding 168 hours. (e.g. “Winteringham Weekend”).

(Statutory)

Other requirements for permitted temporary activities are in Part 5 of the [Licensing Act 2003](#).

10. **HYC’s Insurance includes the provision of a “Certificate of Employer’s Liability Insurance” which must be displayed at each Haven. Although HYC has no employees, this certificate is required to cover HYC members, as the definition of employee within the Policy Wording includes volunteers.**
(Statutory)

11. Both Brough & Winteringham Havens are within Natural England's designated "Humber Estuary 2000480 Site of Special Scientific Interest (SSSI)". See Appendix 8.

Appendix 8 contains document "SSSI 2000480.pdf" which provides a list of Operations for the Humber Estuary SSSI that require English Nature's consent under the Wildlife and Countryside Act 1981 Section 28 (4)(b) substituted by Schedule 9 to the Countryside and Rights of Way Act 2000.

HYC shall gain consent from Natural England for any operations listed in document "SSSI 2000480.pdf" attached in Appendix 9.

(Statutory)

12. **HYC owned VHF Radios {Coastal Station (Marina), Ship Fixed & Portable} shall be registered and licenced with Ofcom. Coastal Station Radio (Marina) Licences shall be renewed annually. Ship Radio Licences and Ship Portable Radio Licenses shall be validated every 10 years.**

(Statutory)

13. **HYC shall have a clear system for the reporting and management of all untoward incidents or near misses. This shall include the recording and review of such events and the implementation of any corrective actions needed to help prevent reoccurrence.**

(Duty of Care)

Issued by: HYC General Committee
8th May, 2021

Master Copy retained by HYC Honorary Secretary

Appendices

**Appendix 1 RYA Guidance Note 2 for Managing Health, Safety and Food Hygiene – Ashore
(For Clubs with Premises or Equipment for Use by Members)**



GUIDANCE NOTE 2
FOR CLUBS WITH PR

Appendix 2 RYA Insurance Policy Wording



RYA POLICY
WORDING.pdf

Appendix 3 Provision and Use of Work Equipment Regulations 1998 (PUWER)

<https://www.hse.gov.uk/work-equipment-machinery/puwer.htm>

<https://www.hse.gov.uk/pubns/books/l22.htm>



PUWER
ACOP&G.pdf

Appendix 4 Lifting Operation and Lifting Equipment Regulations 1998 (LOLER)

<https://www.hse.gov.uk/work-equipment-machinery/loler.htm>

<https://www.hse.gov.uk/pubns/books/l113.htm>



LOLER ACOP&G.pdf

Appendix 5 Fire Safety Guide - Small (≤60 people) & Medium (≤300 people) Places of Assembly

[Fire safety in the workplace - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/fire-safety-in-the-workplace)



Fire Safety
Guide.pdf

Appendix 6 HSE Guidance 107 – Maintaining Portable Electrical Equipment



HSG107.pdf

**Appendix 7 RYA Guidance Note 3 for Managing Health, Safety and Food Hygiene – Ashore
(For Clubs providing Food and Drink)**



GUIDANCE NOTE 3
FOR CLUBS PROVIDI

[Food safety and hygiene | Food Standards Agency](https://www.food.gov.uk/food-safety-and-hygiene)

[Safer Food Better Business For Caterers](https://www.food.gov.uk/safer-food-better-business-for-caterers)

Appendix 8 Home Office Guidance on Mandatory Licensing Requirements for Suppliers of Alcohol



Guidance on
Mandatory Licensing

Appendix 9

Natural England – Site of Special Scientific Interest (SSSI)

www.gov.uk/guidance/protected-areas-sites-of-special-scientific-interest

www.gov.uk/government/publications/request-permission-for-works-or-an-activity-on-an-sssi



SSSI 2000480.pdf