



HILLINGDON
LONDON

Occupational Health & Safety - GREEN ALERT Managing the risk associated with trees

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Applicable to all premise managers

A HSE prosecution is being brought against a City Council following the death of a six-year-old girl.

The six-year-old girl was hit by a falling tree at a school in 2020. She died at the local hospital the following morning.

The City Council will face a charge under section 3(1) of the Health and Safety at Work etc. Act 1974 which states

It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.

The charge follows an investigation by the HSE and initially the Police.

Whilst the details of the case as to why the charge is being brought is not known at this stage, it is likely due to the risk of falling trees/branches not being assessed, or action not being taken following an assessment or identified problem with a tree. A prosecution leading to a fine is likely to run into hundreds of thousands of pounds.

Each year between 5 and 6 people in the UK are killed when trees or branches fall on them. Around 3 people are killed each year by trees in public spaces. Thus, the risk of being struck and killed by a tree or branch falling is extremely low. However, the duty to do all that is reasonably practicable still applies to ensure that people are not exposed to risk to their health and safety.

Doing all that is reasonably practicable does not mean that all trees have to be individually examined on a regular basis. A decision has to be taken on what is reasonable in the circumstances and this will include consideration of the risks to which people may be exposed.

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Key actions required:

Ensure you have a tree management system in place. A simple tree management system may entail

- Zoning trees according to risk (a map showing the zones will help)
 - Zone 1 - where there is frequent public access to trees e.g. school playgrounds, popular footpaths
 - Zone 2 - where trees are not subject to frequent public access
- A system of periodic visual checks for trees in zone 1. This should involve a quick visual check for obvious signs that a tree is likely to be unstable and be carried out by a person with a working knowledge of trees and their defects
 - Checks should also be completed after events such as high winds, after a vehicle collision, or utilities work nearby etc
- A procedure for ensuring the safety of the public during high winds, for example, where practicable by closing or restricting access to parks and gardens or footpaths
- Completing an individual tree inspection/risk assessment where a tree is in zone 1 and
 - has been identified, for example, as having structural faults that are likely to make it unstable; and
 - a decision has been made to retain it with these faults
- How to obtain competent specialists to deal with/manage structural faults etc identified
- Arrangements to monitor all of the above are undertaken
- Records of all of the above

For professional assistance please visit The Arboricultural Association at www.trees.org.uk

Traffic light key	
Red alerts	Mandatory - where immediate action may be required
Amber alerts	Mandatory - with a timescale for action that may be required.
Green alerts	Information only

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Should you require any further information or support in implementing the requirements of this alert please contact your [Health & Safety Team](#)

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