

Fact Sheet: Scottish-Specific Health and Safety Legislation and Guidance

Information for Local URC Churches in the National Synod of Scotland

Applies to: Local URC Churches, Church Halls, Church Offices, Manses and Associated Premises in Scotland.

Important: Most health and safety legislation affecting churches is consistent across Great Britain and enforced by the Health and Safety Executive (HSE). However, there are several important areas where Scotland has its own legislation, guidance and regulatory arrangements.

Disclaimer: This fact sheet provides general guidance for local URC churches in Scotland and is not intended to constitute legal advice. Churches remain responsible for complying with applicable legislation and should seek professional advice where specialist fire safety, property, building standards or health and safety matters arise.

Why Has This Fact Sheet Been Produced?

This fact sheet highlights the key Scottish legislation and guidance that local URC churches should be aware of when managing church premises, activities, events and property.

It should be read alongside the URC's health and safety guidance and policies.

1. Key Health and Safety Responsibilities for Local Churches

Employers' and Public Liability Insurance

Many churches will be considered workplaces because they employ ministers, organists, hall keepers, administrative staff, caretakers or other paid workers.

Where a church employs staff, it will normally be legally required to hold Employers' Liability Insurance. This insurance helps cover compensation claims if an employee suffers an injury or illness arising from their work activities.

Churches also owe a general duty of care to non-employees, including worshippers, visitors, volunteers, contractors and members of the public. While not generally a legal requirement, Public Liability Insurance is strongly recommended and is commonly obtained to provide financial protection where church activities result in injury, death or damage to another person's property.

What Churches Should Do

- Ensure appropriate Employers' Liability Insurance is in place where required
- Review Public Liability Insurance cover regularly to ensure it remains adequate for church activities and events
- Keep insurance documentation readily available and review cover annually.

Food Safety and Church Catering Activities

Churches that regularly prepare, serve or sell food on a continuing basis, such as operating a weekly café, lunch club or community kitchen, may be required to register with their local authority as a food business.

Informal refreshments, such as tea, coffee, and biscuits served after worship, will not normally require registration. However, all food provided by churches should be prepared and handled safely, with particular attention given to food hygiene and allergen management.

Registration as a food business is free and should be completed before relevant food activities commence.

What Churches Should Do

- Consider whether their catering activities require food business registration
- Implement basic food hygiene procedures
- Provide allergen information where applicable
- Ensure volunteers involved in food preparation understand good food safety practices
- Contact the local Environmental Health team if there is any uncertainty regarding registration requirements.

First Aid Arrangements

Under the Health and Safety (First Aid) Regulations 1981, churches must consider the risks associated with their activities and provide appropriate first aid arrangements.

Most churches will be regarded as low-risk environments and may only require:

- A suitably stocked first aid box
- An appointed person responsible for maintaining first aid supplies
- Arrangements for contacting the emergency services when required

Churches should also maintain an Accident Book to record accidents, injuries and near misses. Reviewing these records periodically can help identify recurring issues and improve safety arrangements.

What Churches Should Do

- Undertake a simple assessment of first aid needs
- Ensure first aid supplies are available and regularly checked
- Nominate a responsible person to oversee first aid arrangements
- Record and review accidents and incidents

Managing Health and Safety Effectively

Health and Safety law places a proactive duty on employers and those responsible for premises to identify hazards, assess risks and take reasonably practicable steps to protect people from harm.

In practice, this means churches should be able to demonstrate that health and safety is actively managed rather than dealt with only when problems arise.

Evidence of effective management includes:

- A health and safety policy appropriate to the church's activities
- Regular inspections of premises and grounds

- Prompt investigation of accidents, incidents and near misses
- Oversight by the Eldership, Church Meeting, Management Committee or equivalent governing body
- Appropriate risk assessments for church activities

Maintaining records helps demonstrate compliance and provides evidence that risks are being managed effectively.

Good practice for Local Churches Includes

- Appointing a named person to coordinate health and safety matters
- Providing an annual health and safety report to the Eldership or Church Meeting
- Including health and safety as a standing agenda item at the Annual Meeting General Meeting or Annual Congregational Meeting
- Retaining records of inspections, risk assessments, incidents and actions taken.

Regular review by church leadership is an important part of demonstrating that health and safety arrangements are effective and that risks are being managed as low as is reasonably practicable.

2. Fire Safety in Scotland

What is Different?

Unlike England and Wales, fire safety in Scotland is governed by separate legislation. The principal legislation is:

- Fire (Scotland) Act 2005
- Fire Safety (Scotland) Regulations 2006

These requirements apply to most non-domestic premises, including:

- Churches
- Church halls
- Meeting rooms
- Church offices
- Community facilities used by churches

What Churches Need to Do

Church trustees or those responsible for church premises must:

- Carry out a suitable and sufficient Fire Risk Assessment
- Review the assessment regularly
- Identify and implement appropriate fire safety measures
- Maintain fire alarms and fire-fighting equipment
- Ensure adequate means of escape
- Provide fire safety information and instructions
- Consider evacuation arrangements for all building users
- Keep appropriate fire safety records

The Scottish Government has published guidance to support those responsible for non-domestic premises in meeting these duties. This published guidance is available [here](#).

3. Occupiers' Liability in Scotland

What is Different?

In England and Wales, occupiers' liability is governed by Occupiers' Liability Acts 1957 and 1984. In Scotland, the relevant legislation is the:

- Occupiers' Liability (Scotland) Act 1960.

Why Does This Matter?

Those who control church premises must take reasonable care to protect people from foreseeable harm. This applies to:

- Worshippers
- Volunteers
- Staff
- Hall hirers
- Contractors
- Visitors
- Members of the public

Examples include ensuring the safety of:

- Churchyard
- Car parks
- Boundary walls
- Steps and stairways
- Paths and walkways
- External grounds
- Historic structures

Churches should undertake regular inspections and promptly address identified hazards.

4. Building Standards in Scotland

What Is Different?

Building work in Scotland is regulated through a separate building standards system. The principal legislation is:

- Building (Scotland) Regulations 2004
- Scottish Building Standards framework

Why Does This Matter?

Churches may need to comply with Scottish building standards when undertaking:

- Extensions
- Alterations
- Refurbishments
- Accessibility improvements
- Changes of use
- Major maintenance projects

Depending on the nature of the work, a Building Warrant may be required before work can commence. **Churches should seek professional advice where appropriate.**

5. Evacuation of Disabled People

Scottish fire safety guidance places particular emphasis on ensuring effective evacuation arrangements for disabled people from non-domestic premises.

Churches should consider evacuation arrangements for:

- Wheelchair users
- People with mobility impairments
- People with visual impairments
- People with hearing impairments
- People who may require assistance during an evacuation

Suitable arrangements should form part of the church's Fire Risk Assessment.

6. Historic Church Buildings

Many church buildings in Scotland are historic or listed and may present additional property and safety challenges.

Churches should give particular attention to:

- Fire safety management
- Structural maintenance
- Boundary wall installations
- Means of escape
- Accessibility
- Preservation of historic features

Where specialist advice is required, suitably competent conservation, property or fire safety professionals should be engaged.

What Legislation Is the Same Across Great Britain?

The following legislation generally applies equally in Scotland, England and Wales:

- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999
- Manual Handling Operations Regulations 1992
- Control of Substances Hazardous to Health (COSHH) Regulations 2002
- Work at Height Regulations 2005
- Electricity at Work Regulations 1989
- Provision and Use of Work Equipment Regulations 1998 (PUWER)
- Reporting Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Construction (Design and Management) Regulations 2015 (CDM)

Churches should therefore continue to follow URC health and safety guidance on these topics, regardless of whether they are located in Scotland, England or Wales.

Key Actions for Local URC Churches in Scotland

- ✓ Ensure a current Fire Risk Assessment is in place
- ✓ Review fire safety arrangements regularly

- ✓ Consider evacuation arrangements for disabled people
- ✓ Inspect buildings, grounds and boundary walls regularly
- ✓ Address hazards promptly
- ✓ Seek professional advice before undertaking major building works
- ✓ Maintain compliance with UK-wide health and safety legislation
- ✓ Keep appropriate health and safety records

Key Message

For most local URC churches in Scotland, the principal areas where Scottish legislation differs from England and Wales are fire safety, occupiers' liability and building standards. Trustees should ensure these areas receive appropriate attention alongside the wider health and safety duties that apply across Great Britain.