

Mr Nicholas Rheinberg
Assistant Coroner for Wiltshire and Swindon

By email: [REDACTED]

Chief Executive

[REDACTED]
Redgrave Court

Merseyside L20 7HS

[REDACTED]
<http://www.hse.gov.uk/>

15 May 2025

Dear Mr Rheinberg,

Thank you for your Regulation 28 Report to Prevent Future Death letter dated 26th March 2025, relating to the death of Mr Peter Konitzer.

I would firstly like to offer the family and friends of Mr Konitzer my sincere condolences.

You raised three concerns, which I will address in turn:

Q1. The HSE website has a section on volunteering which provides links to more detailed sections elsewhere on the website. Nowhere is it emphasised that as a matter of good practice before undertaking any construction work risk assessments and method statements should be in writing even when there is no legal requirement to do so.

HSE's Volunteering pages were published in October 2021, following extensive consultation with internal and external stakeholders. The guidance is meant to be broad and high level in scope, which is consistent with our guidance in other sectors, rather than focused on detailed advice for each sector in which volunteers employed. This allows for the guidance to cover the many organisations it applies to.

The pages reference construction activity as a potential high-risk activity that volunteers could be involved in and there is a link to the Construction guidance on our website for further information. HSE would expect dutyholders, e.g. volunteer organisations, to be following the construction guidance rather than the volunteers pages when they are undertaking construction-related activities: [Volunteering: Guidance for employers - HSE](#)

Many of the activities carried out by volunteers will be low risk. However, volunteers may also be involved in higher-risk activities such as:

- [working at height](#)
- [construction](#) and/or [demolition](#)

- [using machinery](#)
- [lone working](#)

Where the risk is higher, an organisation's risk assessment should be proportionate and consider the additional hazards that volunteers and employees may be exposed to. Our [guidance pages](#) contain information on specific topics and industries that may be relevant for higher-risk activities undertaken by volunteers.

There is also a link to wider general guidance on carrying out and recording risk assessments. Under the Management of Health and Safety at Work Regulations 1999, the minimum any dutyholder should do is:

- identify what could cause injury or illness (hazards)
- decide how likely it is that someone could be harmed and how seriously (the risk)
- take action to eliminate the hazard, or if this isn't possible, control the risk

The requirement to record the assessment if there are five or more employees comes after the requirement to assess the risks. Therefore, the requirement to adequately control risks arising from the work applies regardless of the number employed. The assessment of the risk is the means by which the necessary controls are identified rather than a control in and of itself" HSE is not able to place guidance on its webpages that goes above and beyond the law, which would be the case if we specifically asked or advised voluntary organisations to have a written risk assessment, even if they did not have five or more employees.

Q2. Subsequent to the conviction of the canal trust for breaches of health and safety legislation HSE published a bulletin. Will consideration be given to publishing a further bulletin following the findings of the inquest jury.

A press release was sent out after the prosecution of the Wilts & Berks Canal Trust by the local team who carried out the investigation. We will work with our communications team to send out a copy of this in the main HSE ebulletin series.

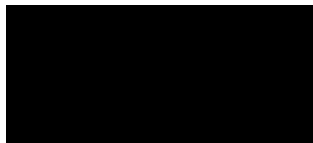
Q3, Will thought be given to revising the volunteering section of the website to prove a more comprehensive and standalone guide to the obligations of charitable trusts and voluntary organisations? Might such revision profitably include a section reminding organisations that rely on volunteers that enthusiasm should be tempered by being mindful of the need to obtain proper professional advice and assistance in appropriate circumstances?

HSE's Engagement and Policy Division is currently going through a period of transition aimed at improving how we work and deliver outcomes, while continuing to deliver on our priorities as outlined within HSE's strategy [HSE Strategy 2022 to 2032 - HSE](#).

We will take your recommendations into consideration when we next review the volunteering pages of the guidance on our webpages.

I trust this provides you with reassurance on the guidance HSE provides for volunteer organisations.

Yours sincerely

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