

A HEALTH AND SAFETY COMPLIANCE CHECKLIST

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Introduction

Business owners must consider the health and safety of themselves, their colleagues, and anyone else affected by their work and the way they do it. The Health and Safety at Work etc. Act 1974 also states that employers must:

- Identify risks at work and possible precautions.
- Provide a means of carrying out their health and safety policy and procedure for reporting accidents.
- Identify the person responsible for carrying out the precautions.
- Identify relevant legal standards that apply in each part of the workplace.
- Have a written statement of general policy (if they have five or more employees) with respect to health and safety at work.

Since the introduction of these requirements, a series of regulations has been introduced to address specific areas of workplace health and safety in more detail. This checklist covers the main aspects of health and safety law, helping you to ensure your business complies with the relevant legislation.

Risk assessment and policy statement

Under the Management of Health and Safety at Work Regulations 1999, all businesses must:

- Make a reasonable assessment of any risks to employees (or yourself if self-employed).
- Appoint a competent person to be responsible for health and safety.
- Monitor the health and wellbeing of workers.
- Give staff relevant health and safety information and training.
- Ensure that contacts with the emergency services are in place.
- Set up an effective management system for implementing their health and safety policy.

Firms with five employees or more are legally required to have a written policy on health and safety. They must carry out an assessment of all the risks involved in their operations and must record any significant risks found during the assessment. This assessment must also cover the risk to the health and safety of any person not employed by the business, including the public. The 1999 Regulations make specific provision for pregnant workers, new mothers and young people.

Employers of fewer than five staff don't need a written policy, but must still conduct a risk assessment.

On a practical level, you need to look at the ways in which your staff work, consider whether the working environment is affecting health, and identify whether there is a high level of sickness absence.

In accordance with the Health and Safety at Work etc. Act 1974, your health and safety policy should:

- Be in writing, dated and signed by the business owner.
- Set out your aims and objectives for improving health and safety at work.
- Describe the organisation (people and their responsibilities) and arrangements currently in place for achieving your health and safety objectives.
- Be kept up to date with any changes in safety personnel or fire procedures.

All employees should have easy access to the policy. It could be included in the staff handbook or placed on a noticeboard. The policy needs to be easy to read and understand.

The policy should include a general statement detailing your business's concern for health and safety issues, as well as an outline of the key staff involved in health and safety and an explanation of their duties. It should also explain your system and procedures for ensuring appropriate standards of safety, health and welfare. Information may also be provided about relevant training, and the procedure for reporting, recording and investigating accidents.

Appendices can be used to cover relevant legislation; individual responsibilities; policies on specific issues such as smoking or alcohol; and systems for providing information about policy changes.

Protecting staff

Under the Personal Protective Equipment at Work Regulations 1992, you have certain obligations to meet which can be achieved by maintaining and repairing premises, and minimising risks arising from equipment or substances at the workplace. You must:

- Provide suitable personal protective equipment for use at work wherever there are risks to health and safety that cannot be adequately controlled in other ways.
- Assess which types of personal protective equipment are suitable to protect against specific hazards and ensure compatibility where more than one item of equipment needs to be worn.
- Keep equipment clean and in good repair, replace it when necessary and keep it properly stored when not in use.
- Provide adequate information, instruction and training to ensure that equipment is used properly.
- Provide some protection for non-employees such as visitors, contractors or, if necessary, the general public. The general duty of care is to ensure that no one is affected by, or exposed to, risks due to the business' activities. Premises should be secure from unauthorised entry and warning signs may also help to reduce risk. Visitors should follow the same procedures as employees.

Employees must:

- Take reasonable care of their own health and safety, and that of co-workers who may be affected by their actions.
- Co-operate with their employer in complying with health and safety duties.
- Not recklessly interfere with or misuse anything provided for health and safety purposes.

The Work at Height Regulations 2005 impose duties relating to the organising and planning of work at height; prescribe steps to be taken to avoid risk; and impose duties relating to the selection and inspection of work equipment, and for the avoidance of risks from fragile surfaces, falling objects and danger areas. They also require that employees be competent or supervised by competent persons.

The Manual Handling Operations Regulations 1992 require the assessment of the risks associated with lifting, carrying, pulling and repetitive handling activities.

The Health and Safety (Display Screen Equipment) Regulations 1992 apply to people who habitually use computers or other display screen equipment. They require the analysis of workstations, and the assessment and reduction of risks associated with repetitive strain disorders, musculoskeletal problems and eyesight.

The Workplace (Health, Safety and Welfare) Regulations 1992 apply to most workplaces except construction sites, and cover aspects of the environment such as ventilation, temperatures, lighting and room dimensions.

Fire safety rules

The introduction of new fire safety rules under The Regulatory Reform (Fire Safety) Order 2005 from 1 October 2006 follows a major review of fire safety law. The 2005 rules emphasise the importance of fire prevention in all non-domestic premises.

The new regulations:

- Abolish fire certificates, which cease to have legal status.
- Require that a 'responsible person' (the employer or people in control of the premises) carry out a fire risk assessment, which must focus on the safety in case of fire of all 'relevant persons', especially those with special needs.
- If you employ five or more people you must record the significant findings of the assessment.
- Responsibility for the enforcement of the rules will be with the local fire and rescue service authority.

For further information see www.communities.gov.uk/index.asp?id=1123799 for guidance on fire safety issues and procedures.

Safety committees

Under the Safety Representatives and Safety Committees Regulations 1977, recognised trade unions have the right to appoint safety representatives to consult with employers about workplace safety.

If requested in writing by two or more safety representatives, you must set up a safety committee, the role of which will be to ensure health and safety is kept under review and to make sure any practical measures are implemented.

When setting up a safety committee, follow these steps:

- Consultations must be held with safety representatives and a trade union representative working in the place where the committee will be investigating safety.
- A notice, stating the composition of the committee and the workplace to be covered, must be displayed in a location where it can be seen by everyone.

- The committee must be established within three months of the request to do so.
- The objectives, role and function of the committee, as well as its agenda, frequency of meetings and rotation of the chairman, are best determined in consultation with trade union representatives.
- Safety representatives must be allowed to take paid time off to perform their functions and undergo training.

If trade unions are not recognised in your business, the Health and Safety (Consultation with Employees) Regulations 1996 apply. These Regulations require you to consult employees either directly or through elected 'representatives of employee safety' regarding health and safety issues. Unlike the Safety Representatives and Safety Committees Regulations 1977, however, these Regulations do not make any formal provision for safety committees.

Reporting accidents and ill-health at work

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) require deaths, major injuries from work-related accidents, diseases and dangerous occurrences to be reported to the enforcing authorities - either the Health and Safety Executive (HSE) or the relevant local authority.

Details of what must be reported, together with an accident report form (F2508) are set out in the free leaflet 'RIDDOR explained - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations' available from the HSE.

Examples of what must be reported include: deaths; major injuries (including fractures other than to fingers and toes); dangerous occurrences (a fork lift truck overturning, for example); injuries resulting in more than three days off work; and work-related diseases, including certain poisonings, chronic conditions and infections contracted at work.

- Deaths, major injuries and dangerous occurrences must be reported immediately, by phone or e-mail, followed by an accident report form sent to the enforcing authority within ten days.
- An accident that leaves a worker unable to do the full range of their normal duties for more than three days must be reported within ten days via an accident report form.
- Work related diseases must also be reported to the enforcing authority on a disease report form (F2508A).
- All injuries, diseases and dangerous occurrences can be reported to the Incident Contact Centre. If preferred, incidents can be reported directly to the HSE local area office or local authority if it enforces health and safety legislation for your business.
- Records must be kept for three years after the incident and the enforcing authorities can ask for these records to be produced on request.

First aid

The Health and Safety (First Aid) Regulations 1981 and Code of Practice and Guidance explain the arrangements necessary for first aid requirements in the workplace.

- You have a duty to provide adequate equipment and facilities in the workplace to enable first aid to be provided to employees if they are injured or become ill at work. To decide what is suitable you must make an assessment of first aid needs.
- All staff should be made aware of the arrangements for first aid and the procedures for first aid treatment. These should be clearly identified in the business' health and safety policy statement.

- At least one notice should be posted in all premises to highlight the location of the first aid kit and the names and locations of trained first aiders or appointed employees.
- When deciding on which provisions are needed for first aid, consider the nature and degree of the risk, the number of employees and the location of your business.
- When assessing first aid provision, also consider employees that are working in isolated locations, travelling to remote areas, or using potentially dangerous tools or machinery.
- The HSE recommends specific numbers of first aid personnel to be available at all times there are people at work. The number of first aiders should be based on the assessment of risk and number of workers.

Providing information and training

All employers have an obligation to provide training to new employees as part of the induction process. New recruits need basic induction training in how to work safely; this should include fire safety, evacuation procedures and first aid. Training should also cover the firm's health and safety policy, how it is implemented and the safety procedures used in the workplace.

You should also identify the employees who have specific responsibilities related to health and safety, such as first aiders, fire safety officers and so on. You need to bear the following issues in mind:

- You should provide refresher training to workers who need it, especially when there are changes to procedures or legislation.
- In a small business, it is likely that your own staff will deliver on-the-job training in health and safety procedures. An external trainer will only be needed if a particular training requirement cannot be met by your own staff.
- People changing jobs or taking on new responsibilities will need to know about any additional health and safety implications.
- Particular attention should be given to the training needs of young employees who can be vulnerable to accidents. New, inexperienced or young employees should be adequately supervised.

Other legislation to consider

The following legislation should also be considered in relation to health and safety:

- The Control of Substances Hazardous to Health Regulations 2002 (COSHH) require employers to control people's exposure to hazardous substances to prevent ill health. These can include chemicals which many people work with on a day to day basis. The employer is required to conduct an assessment of the associated risks.
- The Control of Asbestos at Work Regulations 2006 require the 'duty holder' (usually the owner or occupier of the building) to find out whether the building contains asbestos and what condition it is in, to assess the risk and to put together a risk management plan.

Hints and tips

- Make sure that you regularly review your risk assessment and make findings available to all staff.
- If the business expands or starts new processes, the safety aspects should be evaluated proactively.

Further information

For practical start up and small business tips, ideas, know-how and news, go to:

Website: www.enterprisequest.com

To access hundreds of practical factsheets, market reports and small business guides, go to:

Website: www.scavenger.net

- BIF 2 An Introduction to Health and Safety Regulations
- BIF 95 Choosing and Using a Health and Safety Consultant
- BIF 122 A Guide to Fire Safety Measures
- BIF 140 A Guide to the Management of Health and Safety at Work Regulations 1999
- BIF 181 A Guide to First Aid Requirements in Small Businesses
- BIF 198 A Guide to the Workplace (Health, Safety and Welfare) Regulations 1992
- BIF 263 A Guide to the Provision and Use of Work Equipment Regulations 1998
- BIF 265 A Guide to the Personal Protective Equipment at Work Regulations 1992
- BIF 289 A Guide to Carrying Out a Health and Safety Risk Assessment
- BIF 376 A Checklist for a Health and Safety Risk Assessment
- BIF 380 A Guide to Recording Accidents at Work

'The Handbook of Health and Safety Practice'

Jeremy Stranks

2005

Prentice Hall

'RIDDDOR explained'

'Essentials of health and safety at work'

'Stating your business: Guidance on preparing a health and safety policy document for small firms'

'Effective health and safety training'

HSE Books

Tel: (01787) 881165

Website: www.hsebooks.co.uk/Books/

Health and Safety Executive (HSE)

Tel: 0845 345 0055

Website: www.hse.gov.uk

Health and Safety Executive for Northern Ireland (HSENI)

Tel: 0800 032 0121

Website: www.hseni.gov.uk

Royal Society for the Prevention of Accidents (RoSPA)

Tel: (0121) 248 2000

Website: www.rospace.com

Incident Contact Centre

Tel: 0845 300 9923

Website: www.riddor.gov.uk

CONTACT-

for further information.

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