



Health and Safety in a Nutshell

All businesses must follow health and safety law. It stipulates your responsibility to all employees, including the self-employed, home-workers and those working for nothing (such as young people on work experience and charity workers). It also covers your responsibility to those using premises that your organisation is responsible for, or anyone else affected by your business. There are ten basic requirements that companies must consider.

Which of these ten legal requirements apply to you?

1. Health and Safety Policy Statement

If you employ more than five people, including temps, part-timers and contractors, you must produce a written policy statement that describes how the company manages health and safety. The policy should be acted on, monitored and reviewed.

2. Health and Safety Law Poster

If you employ anyone, you must either display a Health and Safety Law Poster (ISBN 978 0 7176 63699) or provide each employee with a pocket card (ISBN 978 0 7176 63507) providing the same information. Posters and pocket cards are available from HSE Books (www.hsebooks.com). Ensure you buy the 2009 version - some re-sellers still advertise that the older version will need to be replaced by 2014. You no longer need to add details of local enforcing authorities to the new poster, but it is useful to provide contact details for employee health and safety representatives and for workplace health and safety advisors.

3. Get the right insurance

If you employ even one person you must have Employers' Liability Compulsory Insurance and display the certificate in the workplace. The insurance will provide cover if an employee claims compensation from you for an injury or illness caused by work. Other types of insurance may also be necessary, including public liability and professional indemnity.

See <http://tinyurl.com/business-insurance> for advice on which insurance might apply to your business.

4. Competent Advice

A competent person or persons must be appointed to help you comply with health and safety legislation. They can be selected from within the company, or you can use an external consultant. An internal and external person working together often works well. Each competent person must have training, knowledge and experience appropriate

to the business. If in doubt, contact the professional body a competent person claims to be a member of to check their credentials.

5. Risk Assessments

No workplace is risk free. All companies, including the self-employed, need to carry out risk assessments appropriate to the nature of the activities undertaken.

A risk assessment is a description of what could cause harm, what safeguards exist, and what else could be done to reduce the risk of ill-health or an accident. Significant findings must be written down if you employ more than five people.

HSE guidance is available at www.hse.gov.uk/pubns/indg163.pdf.

6. Health, safety and welfare needs

Under the Workplace (Health, Safety and Welfare) Regulations if you employ staff you need to meet a minimum standard for health, safety and welfare. Minimum welfare facilities include toilets, washing amenities, drinking water, and somewhere clean to rest and eat. Health issues include appropriate ventilation, temperature, lighting, cleanliness and space. Safety issues include maintenance of the workplace and safe routes into, out of and around the workplace.

See HSE advice at www.hse.gov.uk/pubns/indg244.pdf

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7. Training and Supervision

Everyone who works for you, including self-employed people, need to know and understand the hazards in your workplace. The level of training should be appropriate to the business and the individual. For example, a new employee would need an explanation of emergency procedures and of the hazards they will face in their role. A manager may require a certificated safety training course. Records of training should be kept, and effectiveness of training should be monitored.

New starters, young employees and those lacking in experience will require extra supervision to check that they are following the training accurately.

8. Consultation with Employees

The Health and Safety (Consultation with Employees) Regulations (1996) and the Safety Representatives and Safety Committees Regulations (1977) require you to consult employees or their representatives on health and safety matters. This makes good business sense as people doing the job are likely to have a good understanding of potential problems, and involving them keeps them engaged and motivated.

Advice on how to consult employees can be found at <http://www.hse.gov.uk/pubns/indg232.pdf>

Note:

Whilst this fact sheet gives general guidance on the law relating to this topic at the time of drafting, it is not intended to be a comprehensive guide to this area of law. You are advised to seek specific advice in relation to any particular issues that need to be addressed in relation to this topic by a competent person.

9. Reporting of Accidents, Disease and Dangerous Occurrences

Whether you are an employer, self-employed or control work premises, you are legally required to report certain work-related accidents, diseases and dangerous occurrences.

Detailed requirements are in the Reporting of Injuries, Disease and Dangerous Occurrences Regulations (RIDDOR 1995). In brief, you must send a RIDDOR report to the HSE if a work related injury or illness results in a death, a major injury or more than three days away from work, or if a member of the public is injured and taken to hospital, or a dangerous incident occurs.

RIDDOR forms are available on the HSE website - www.hse.gov.uk/riddor

10. Health and Safety Policy Statement

If you employ more than five people then you must produce a policy statement that describes how the company organises and manages most of the headings listed above.

