

# A GUIDE TO HEALTH AND SAFETY AT WORK No. 2 January 2003

## 1. Introduction

Businesses have a legal responsibility to protect the health and safety of their staff and others on their premises, and there is a range of laws to ensure that they do this.

This factsheet explains the main steps you must take to ensure your business complies with health and safety regulations. It contains guidance on policy, obtaining a fire certificate, carrying out a risk assessment, reporting accidents, providing personal protective equipment, establishing a first aid procedure, and setting up a safety committee.

## 2. Policy

The Health and Safety at Work Act 1974 requires every employer with five or more employees to produce a written policy on health and safety. The policy should contain:

- (i) A general statement acknowledging your legal responsibilities;
- (ii) An outline of the staff appointed to specific roles and their duties; and
- (iii) An outline of your procedures for ensuring appropriate standards are maintained. This might cover personal protective equipment, manual handling of loads, the use of display screens, safe handling of substances, maintenance records for plant and equipment, evacuation procedures in the event of fire, arrangements for first aid, the reporting of accidents, and staff training.

An appendix can also be helpful to record the legislation relevant to your business, your policies on specific issues such as smoking, drugs, alcohol and HIV/AIDS, and how your staff will be informed about the policy and subsequent changes.

Under the Health and Safety at Work Act 1974, you must appoint a person to be responsible for putting the policy into practice. Make a formal list of duties, and ensure that everyone knows who the responsible person is. Their role will be to ensure that the safety standards and procedures outlined in the policy are adhered to on a day-to-day basis.

## 3. Fire

The Fire Precautions (Workplace) Regulations 1997 (amended 1999) apply to all workplaces. You must obtain a fire certificate from the Fire Officer if:

- (i) The premises are used for sleeping, treatment or care, leisure or entertainment, teaching, training, worship or access to the general public.
- (ii) The premises are classed as a factory, shop, office or railway, and at least one of the following conditions apply:
  - (a) Twenty or more people are on the premises at any one time;
  - (b) Ten or more people work on floors above ground-level; or
  - (c) Explosives or highly flammable materials are used or stored on the premises.

See BIF 122 Fire Safety Measures for more information.

## 4. Assessing risk

Under the Management of Health and Safety at Work Regulations 1999, all employers (regardless of how many employees they have) and the self-employed are required to carry out a risk assessment. Businesses with five employees or more must record any significant risks discovered.

The purpose of the risk assessment is to help you identify the measures that your business needs to take to comply with health and safety law.

Examine whether employees are exposed to risk either because of the work they are doing or by the condition of the premises, plant, equipment or vehicles. You are also responsible for any risk posed to others, such as contractors and members of the public, which might arise out of the nature of your work or the state of your premises.

## 5. Reporting accidents

Your responsibilities here are two-fold:

- (i) Internal procedure. To comply with the Health and Safety at Work Act 1974, you must establish an internal system for reporting and recording accidents.
- (ii) External procedure. You have to report work-related deaths, major injuries, diseases and dangerous incidents to the Health and Safety Executive (HSE) and/or your local authority. This is stipulated in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).

Deaths, major injuries and dangerous occurrences must be reported immediately, and followed up with a report submitted to the enforcing authority within 10 days. An accident which leaves a worker unable to do the full range of their normal duties for more than three days must be reported within 10 days.

Records must be kept for three years from the date of the incident. The enforcing authority may request to see them.

Details of what must be reported, together with an accident report form, are set out in the free leaflet 'RIDDOR explained - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations' (HSE31, rev 1). It is available from the HSE (see Further Information).

## 6. Protective equipment

Under the Personal Protective Equipment at Work Regulations 1992, employers must provide suitable safety equipment (such as hard hats, reinforced footwear and reflective jackets) for use at work wherever there are risks that cannot be adequately controlled in other ways. See BIF 265 Personal Protective Equipment at Work Regulations 1992.

Employers have to assess what type of equipment is suitable to offer protection against the hazards of the job, and to ensure compatibility where more than one item of equipment is needed.

The personal protective equipment must be kept clean and in good repair, stored correctly and replaced when necessary. Employees must be given adequate information about the equipment, and trained to use it.

## 7. First aid

Employers must have facilities to offer first aid to employees if they are injured or become ill at work. The Health and Safety (First Aid) Regulations 1981 and Code of Practice and Guidance outline the requirements:

- (i) Assessment

Assess the level of first aid likely to be needed. To do this, consider the nature and degree of risk, the number of employees involved and the location of the business. Extra consideration should be given to employees working in isolated locations, travelling through remote areas or using potentially dangerous tools and machinery.

The HSE has guidelines on the number of first aid personnel a business should have, depending on the number of employees and the assessment of risk.

(ii) Procedures

The procedures for first aid should be detailed in your health and safety policy, and all staff should be made aware of them.

(iii) Set up a first aid post

At least one notice should be posted in each premises indicating the location of the first aid kit and the names and locations of the trained first aiders and appointed persons. See BIF 181 A Guide to First Aid Requirements in the Workplace.

A first aider is someone who has passed a training course in administering first aid at work and holds a current first aid at work certificate. The training has to be approved by HSE. The certificates are currently valid for three years, and employers need to arrange refresher training before they expire.

An appointed person is an employee who is selected to take charge in the event of illness or an accident. Their responsibilities will include calling an ambulance if needed, and restocking the first aid box. An appointed person is not a certified first aider, so they should not attempt to administer first aid.

## 8. Safety committee

Under the Safety Representatives and Safety Committees Regulations 1977 (SRSCR), recognised trade unions have the right to consult with employers about workplace safety. If requested, the employer must set up a safety committee to supervise the implementation of health and safety policy.

If it is not a recognised trade union, then the Health and Safety (Consultation with Employees) Regulations 1996 apply. These require employers to consult their employees either directly or via elected safety representatives. However, unlike the SRSCR, the regulations do not make any formal provision for safety committees.

## 9. Training

Employers have an obligation to provide training for new employees as part of the induction process. This needs to cover safety systems used in the workplace, fire safety and evacuation procedures, the health and safety policy, and the identity of employees responsible for first aid, fire safety and the reporting of accidents.

## 10. Secure premises

Contractors and visitors to your premises are entitled to the same considerations of health and safety as your employees, and they should follow the same safety procedures.

The premises should be secured against unauthorised entry.

## 11. Hints and tips

- (i) For more detailed information, as well as practical advice, the Health and Safety Executive website ([www.hse.gov.uk](http://www.hse.gov.uk)) is very useful.
- (ii) A health and safety law poster must be displayed in each premises. Entitled 'What You Should Know', it is available from HSE Books (see Further Information).
- (iii) If you plan to use premises as a factory, make sure to tell the HSE (in writing) at least a month before you start (this is required in terms of the Factories Act 1961).

## 12. Further information

- BIF 22 Control of Substances Hazardous to Health Regulations 1999 (COSHH)
- BIF 39 Health and Safety Compliance Checklist
- BIF 93 Health and Safety (Display Screen Equipment) Regulations 1992
- BIF 95 Choosing and Using a Health and Safety Consultant
- BIF 122 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 the Workplace
- BIF 198 Workplace (Health, Safety and Welfare) Regulations 1992
- BIF 200 Manual Handling Operations Regulations 1992
- BIF 263 Provision and Use of Work Equipment Regulations 1998
- BIF 265 Personal Protective Equipment at Work Regulations 1992
- BIF 289 Carrying Out a Health and Safety Risk Assessment
- BIF 308 A Guide to the Electricity at Work Regulations 1989

'An A-Z of Health and Safety Law', Peter Chandler  
Kogan Page (1999)

'Manager's Guide to Health and Safety at Work', Jeremy Stranks  
Kogan Page (2001)

'Occupational Health'  
'Update on Health and Safety Law'  
British Safety Council Guides  
Tel: (020) 8600 5595

'Essentials of Health and Safety at Work'  
The Royal Society for the Prevention of Accidents  
Tel: (0121) 248 2222

'Essentials of Health and Safety at Work'  
'Introduction to Health and Safety for Small Firms' (INDG 259)  
'5 Steps to Risk Assessment' (INDG 163, rev 1)  
HSE Books  
Tel: (01787) 881 165  
Website: [www.hsebooks.co.uk](http://www.hsebooks.co.uk)

Health and Safety Executive (HSE)  
Tel: 0870 154 5500

Institution of Occupational Safety and Health (IOSH)  
The Grange  
Highfield Drive  
Wigston  
LE18 1NN  
Tel: (0116) 257 3100  
Website: [www.iosh.co.uk](http://www.iosh.co.uk)

International Institute of Risk and Safety Management  
National Safety Centre  
70 Chancellors Road  
London  
W6 9RS  
Tel: (020) 8600 5538  
Website: [www.iirms.org](http://www.iirms.org)  
E-mail: [enquiries@iirms.org](mailto:enquiries@iirms.org)

Royal Society for the Prevention of Accidents (RoSPA)  
Edgbaston Park  
353 Bristol Road  
Edgbaston  
Birmingham  
B5 7ST  
Tel: (0121) 248 2000  
Website: [www.rospa.co.uk](http://www.rospa.co.uk)  
E-mail: [help@rospa.co.uk](mailto:help@rospa.co.uk)

**CONTACT-**

**for further information.**

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