

Health and Safety

Health and safety rules and regulations form a part of how you operate your organisation. You have what is called a duty of care to your volunteers and members of the public to avoid personal injury. The Health and Safety at Work Act 1974 applies to all workplaces and to everyone either at work or affected by work activities.

If you employ staff, you have to meet legal health and safety requirements. Health and safety is quite a complex issue and we cannot cover it all here. This information aims to provide some of the basics.

Management committee members of voluntary organisations must ensure that the organisation complies with health and safety at work legislation.

As a matter of good practice, voluntary organisations should develop health and safety policies covering all these groups of people. (although the law which requires it only applies to organisations with five or more staff) The committee cannot rely on the staff to ensure their own health and safety. The primary legal responsibility rests with the committee as the employer.

It is important to recognise that you also have obligations under a range of statutes (as do employees) and these are outlined below.

Health and Safety At Work Act 1974

Under the 1974 Act, you have a duty “to ensure, so far as is reasonably practicable, the health, safety and welfare at work” of your employees. You therefore have to:

- employ competent staff
- provide a safe system of work as well as safe premises, plant and equipment
- provide health and safety information, instruction, training and supervision to employees
- consult safety representatives of recognised trade unions about health and safety arrangements
- ensure that your activities, premises, plant and machinery do not endanger anybody
- ensure you do not impose financial charges on employees for anything done, or for equipment provided, for health and safety purposes

The Management of Health and Safety At Work Regulations (MHSWR) 1999

These regulations require you to carry out a risk assessment of your workers and anyone else affected by what you do. The Health and Safety Executive (HSE) recommends that you:

- look for the hazards
- decide who might be harmed and how
- evaluate the risks
- record the findings
- review the assessment





If you have five or more employees, you have to record any significant findings and then monitor and review the measures you put in place.

You also have to survey your employees' health and establish procedures to follow in the event of serious or imminent danger.

You are under a special obligation to look at the risks specific to women of child-bearing age, whether pregnant or not. Once a woman has told you that she is pregnant (or given birth in the last six months or is breastfeeding), you have to then do another assessment to consider the specific risks that she might face.

The Manual Handling Operations Regulations 1992

These regulations state that you should try to avoid situations where your employees have to undertake any manual handling operations that might put them at risk of injury. Manual handling means: any transporting or supporting of a load by hand or by bodily force, such as lifting, putting down, pushing, pulling, carrying or moving.

Where it is impossible to avoid, you have to assess the risk and then take steps to reduce the risk of injury.

Personal Protective Equipment At Work Regulations 2002

If, having done a general risk assessment under the MHSWR, you identify a hazard that you cannot eliminate, you have an absolute duty to provide suitable personal protective equipment for any employee who may be exposed to the risk. Before choosing the equipment, you have to do an assessment to make sure that it is suitable.

Provision and Use of Work Equipment Regulations 1998

These regulations state that you have to ensure that all work equipment is suitable for whatever purpose it's being used and is used safely. You have to do a risk assessment of where the work equipment is to be used and keep it in good working order.

You must make all health and safety information available to employees using the equipment and ensure they get adequate training in using it. The definition of "work equipment" is very wide, and includes "tool box" tools such as hammers and handsaws as well as machines, lifting equipment, portable ladders etc.

Workplace (Health, Safety and Welfare) Regulations 1992

These regulations apply to factories, shops, offices, hospitals, hotels and schools as well as service roads within the confines of a factory premises, and require you to keep them in good repair. If an employee works in a location not under your control (such as a private house), then they do not apply.

Health and Safety (Display Screen Equipment) Regulations 1992

A display screen user is someone who depends on the equipment to do their job, working at the screen for more than an hour at a time on a daily basis, whether at work or at home.

Anyone satisfying the definition has to have regular breaks, preferably away from their screens. They are also entitled to eye tests at regular intervals.



Control of Substances Hazardous to Health (COSHH) Regulations 2002

These regulations apply if you have to control exposure to hazardous substances to protect employees and anyone else who might be exposed. This covers substances such as cleaning materials etc.

You have to ensure that someone competent carries out a risk assessment before anyone uses the substances, then decide on what precautions you need to take to control exposure and ensure they're implemented. Once you've done that, you have to monitor the exposure and carry out health surveillance.

You also have to draw up plans to deal with the risk of accidents and emergencies arising from the hazard, and have regular safety drills. And you have to ensure your employees understand about the hazards and provide them with adequate training.

Corporate Manslaughter

Under the Corporate Manslaughter and Corporate Homicide Act 2007, companies and organisations can be charged with the offence of corporate manslaughter (England, Wales and Northern Ireland) and corporate homicide (Scotland).

The penalty can include an unlimited fine, a remedial order and a publicity order. A remedial order will require a company or organisation to take steps to remedy any management failure that led to a death. The court can also impose an order requiring the company or organisation to publicise that it has been convicted of the offence, giving the details, the amount of any fine imposed and the terms of any remedial order made.

Risk Assessment

All organisations should undertake this process as good practice, whether you have paid staff or not. Your responsibility is to the users of the service, your committee and your volunteers. Undertaking a risk assessment shows that you have carefully considered all possible hazards and implemented methods of avoiding accidents.

- Look for potential hazards
- Decide who may be harmed and how
- Evaluate these risks and decide whether your existing precautions are adequate or whether more should be done.
- Record your findings.
- Review your assessment and revise it if necessary.

First Aid

Different organisations will need different first aid arrangements according to their needs and activities. For example, an organisation running outdoor activities for children will need very different first aid to an office based advice agency. Just as you would do a risk assessment, you should undertake a first aid assessment to consider the likely need. As a minimum you must have someone who has basic first aid knowledge and is available to take charge in an emergency. This is known as an Appointed Person. Your assessment may show that you need a trained First Aider. This is someone who has completed a 4 day Health and Safety Executive approved course.

Some first aid training providers –

- St John Ambulance
- British Red Cross

You must have a first aid box, although there are no rules to say what you must have in it. Some of the basics include: sterile plasters, bandages, wound dressings, a leaflet of basic first aid. You must have a notice indicating where the first aid box is, who the first aider or appointed person is and where they can be found.

Recording and reporting work-related accidents and incidents

You should record any accidents that occur on your premises as good practice. By law, any workplace that has more than 10 employees must have an accident book. This can be used to record, not only accidents, but illness possibly caused by work and any near-miss accidents.

Serious injuries have to be reported to the Health and Safety Executive or the local Environmental Health Division. These are defined as:

- Death or major injury (including assault)
- An injury that means the person is off work for three days or more
- Work-related disease
- Dangerous occurrences – these include things that might have resulted in injury, even if it did not, such as a fire or explosion

Further Help

Responsible for enforcement of health and safety in Redcar & Cleveland

Development Department, Food Safety/Health and Safety Section, Redcar & Cleveland Borough Council, Belmont House, Rectory Lane, Guisborough Tel 01642 612411

The Health and Safety Executive produce a wide range of booklets and leaflets on all aspects of health and safety legislation and guidance

Website: www.hse.gov.uk/pubns/index.htm

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