

IS YOUR EMPLOYER MANAGING HEALTH AND SAFETY?

Most industrial accidents and cases of ill health reflect management's failure to exercise proper control over workplace hazards. Managers have a legal duty to give a clear lead on health and safety matters. Set out below are some of the main points that they need to consider.

- Does there exist a carefully prepared, well thought-out and up-to-date health and safety policy based on commitment at the very top?
- Are commitment and accountability shared by supervisors and managers and are all levels of staff aware of their health and safety responsibilities and given the necessary training to carry them out?
- Are sufficient resources being made available to allow the policy to be translated into action?
- Is planning for health and safety done systematically so that hazards are identified, risks assessed, control measures and priorities determined and the necessary resources allocated?
- Is effective action taken to eliminate, minimise and control specific risks?
- Is every endeavour made to keep abreast of new health and safety legislation and guidance, especially standards such as those found in PIAC and PABIAC publications?
- Is there a system in place to:
 - keep control over and monitor the risks and measures taken to combat them so that proper safeguards are adopted and maintained?
 - provide adequate supervision, training and instruction of the workforce?
 - ensure proper consultation and communication?
- Are underlying causes of incidents identified so that not only the specific defects but also the organisational failures are remedied and lessons learned for the future?
- Are regular audits and reviews of health and safety performance carried out?

The way that these matters are dealt with in a company should be set out in the employers health and safety policy.

Employers' Safety Policies

All firms with five or more people must by law have a written health and safety policy statement. Section 2(3) of the HSW Act requires employers to "prepare and, as often as may be appropriate, revise their written statement of their general policy with respect to the health and safety at work of their employees." The policy must also include the "organisation and arrangements for carrying out the policy". The policy, and any revision of it, must be brought to the notice of all employees.

Further relevant duties apply to employers under the MHSW Reg 3 which requires employers to conduct a suitable and

sufficient assessment of the risks to the health and safety of their employees. Employers with five or more employees must record the significant findings of their risk assessment, with enough detail of the assessment itself to demonstrate that it is suitable and sufficient.

Reg 4 says that every employer shall make and give effect to such arrangements as are appropriate for the effective planning, organisation, control, monitoring and review of preventive and protective measures. Again, where there are five or more employees these arrangements must be recorded.

Regs 6(1) and 7(1)(b) contain requirements for the appointment of competent persons to assist in complying with health and safety requirements and implement procedures for the evacuation of premises.

In practice, therefore, an employer's safety policy should contain the following elements:-

- Statement of intent
- Identification of hazards and risk assessment
- Organisation for health and safety, including the names of competent persons and responsibilities of individuals or post holders
- Health and safety arrangements, including monitoring and review of preventive and protective measures, inspections, accident analysis and corrective action
- Distribution and review of the policy.

Statement of Intent

The policy should begin by accepting the legal responsibility placed upon the company to provide and maintain healthy and safe conditions for all employees and other persons who may be affected. There should be a clear commitment to devoting time and resources to the proper management of health and safety within the company. It should also take account of the general duties on employers.

Identification of Hazards

A hazard is something with the potential to cause harm. The first step in safeguarding safety and health is to identify hazards. Every employer is required to examine the place of work systematically and identify existing hazards. Employers will need to be familiar with the hazards associated with their workplace. In fact, employers are expected to take reasonable steps to familiarise themselves with the hazards and risks in their work. They can do this by reading HSE guidance, the trade press, company or supplier manuals etc. A principle source of information to the employers will be Industry Health and Safety Guidance produced by the PIAC and PABIAC.

Some hazards are obvious and could readily be identified through inspections or audits, for example unguarded moving parts of machinery, fumes, electricity, working at heights, or moving heavy loads. Less obvious, but at the root of many accidents, are hazards presented by untidy workplaces and

poor maintenance. In the case of some hazards e.g. noise, it may take months or even years before damage materialises.

Assessment of Risks

If there is a hazard present, the next step is to determine the likelihood and consequences of its happening. There are always difficulties in assessing this, and compliance with, for example, published industry guidance should always be used as a yardstick. Some risks, such as exposure to chemicals or noise, may require physical measurements to be taken. Risk will depend on many, often related, circumstances:-

- is anyone exposed to the hazard?
- is the hazard likely to cause injury?
- is the hazard well controlled?
- is the level of supervision adequate?
- how long are people exposed and what are the levels of exposure which should not be exceeded? (These could apply to chemicals, temperature, noise, heavy loads, radiation, etc.)

Through this process employers with five or more employees need to produce a record of their risk assessment. That record may refer to or rely on other documents and records describing procedures and safeguards.

The significant findings of the assessment should include:

- (a) The significant hazards identified in the assessment, i.e. those hazards which might cause serious risks to workers or others which might be affected by the work activity if they were not properly controlled.
- (b) The existing control measures in place and the extent to which they control the risks (this need not replicate details of measures more fully described in work manuals etc. but could refer to them).
- (c) The population which may be affected by the significant risks or hazards, including any groups of employees who are especially at risk.

In many cases, employers would need to record sufficient detail of the assessment itself, in addition to the significant findings, so that they can demonstrate (e.g. to an inspector or to safety representatives) that they have undertaken a suitable and sufficient assessment, and also so that if circumstances change the assessment can be readily reviewed and, if necessary, revised.

Organisation

In this section individuals or post holders should be identified and their responsibilities spelt out clearly. In a small firm this might simply require that the works director be responsible for all day-to-day health and safety matters and that employees, through trade union reps, should be consulted. In a larger firm the organisation might have to be broken down by departments or by process. Whatever the size of the firm the responsibility for arranging training, liaison with the Health & Safety Executive and fire authority, and the provision of health and safety information should not be forgotten.

Each person in the company should be made aware of a) his or her own responsibilities and b) who can be contacted if a health and safety problem arises. It is likely that the organisation for safety will follow closely the organisation for production and other similar matters. Each person should be

clear about their responsibilities and what action should be taken if they are not fulfilled. The safety policy document should be used as a reference point for talks between individuals in the hierarchy on matters of health and safety.

Arrangements

This section should detail how the people mentioned on the organisation section fulfil the objectives of the statement of intent section, and how their performance will be monitored. The arrangements section is the core of the policy and should be given considerable thought. In spite of this, it is the section that is most often missed out of employers' written policies.

The arrangements should lead on from the risk assessment. Without a thorough scrutiny of the operations carried out by all departments, it is not possible to move on to consider how these potential hazards can be overcome. The arrangements in place to cover health and safety should be integrated with the management system for all other purposes.

The arrangements section should include, for example:-

- The employer's policy for preventing or reducing all of the significant risks identified in the risk assessment.
- The standard of guarding required at presses, machines etc. This should be done by reference to publications of the HSE, PIAC, PABIAC, and the British Standards Institution etc., saying where these publications can be found in the firm.
- The standards of protective clothing and local exhaust ventilation needed for handling chemicals. This could be done by reference to health and safety data sheets from suppliers and by compliance with the COSHH Regulations.
- Safe systems of work for particular operations, particularly maintenance and cleaning.
- The reporting of accidents, near misses and health incidents and their investigation.
- The assessment from health and safety viewpoint of any new machine, chemical or building alteration contemplated.
- Consultations procedures between management and employees over matters of health and safety.
- Training needs for new and existing employees. In particular, it is vital that individual managers having direct responsibilities for health and safety matters should be adequately trained.
- Adequate supervision of staff, particularly the young and inexperienced.

These are just examples of the type of material which should be contained in the arrangements section. The precise contents will depend on the nature and size of the company, and will be unique to each individual company.

Monitoring

Monitoring health and safety performance is essential if the good intentions of the safety policy are to be reflected in practical progress. Effective monitoring will reveal how

successful implementation has been and highlight the improvements still needed.

Managers who implement standards will need to monitor how well they are being met. They will therefore need to be knowledgeable about:-

- identification and evaluation of hazards and risks and the reasons, both physical and organisational, for their occurrence
- relevant legal requirements
- approved codes of practice and guidance and their application, e.g. on lift truck operator training

Those undertaking monitoring will be measuring levels of performance against the firm's plans and acceptable standards. They will need to ensure that the safety policy arrangements have been implemented effectively and that the arrangements cover all activities, e.g. not only normal working but also installation of new plant and processes, maintenance, breakdowns and emergencies.

Inspection and Checks

Points to consider:

- routine and local checks by managers, supervisors, maintenance staff
- daily/weekly/monthly checks on machinery guarding, housekeeping, storage and use of flammable materials and chemicals etc.
- spotting hazards and checking critical jobs such as making ready, cleaning and maintenance etc. where special systems of work are needed which may otherwise fall into disuse
- tests and examinations by competent persons and contractors etc.
- thorough examinations at specified intervals of local exhaust ventilation, lifting equipment, air receivers, steam boilers etc.
- regular tests and checks of equipment such as fire alarms, extinguishers etc.
- inspections by members of staff with health and safety expertise, e.g. manager, safety adviser and safety representative
- monthly/3 monthly/6 monthly/annual inspection, possibly by teams, to identify hazards, check action on previous inspection and that the local routine checks and inspections are being carried out, assess adequacy of supervision, identify safety training needs. Safety representatives are entitled to carry out inspections of the workplace every 3 months or more frequently in some circumstances after consultation with the employer. There are advantages in the inspection being jointly carried out by the employer and safety representative
- noise measurement, atmospheric monitoring, occupational hygiene survey
- safety inspection and test of the electrical installation
- use of pre-printed forms to specify the frequency of inspections etc., the areas to be inspected and to serve as a reminder of some of the topics/items to be checked

- reporting of defects etc. by employees
- health surveillance by a 'responsible person' or occupational health nurse to detect signs of ill health
- initiation of immediate or early remedial action where necessary
- investigation of monitoring reports to identify reasons for failure in control and steps needed to prevent recurrence

Accidents, Near Misses and Ill Health

Points to consider:

- provision of an effective system for identifying and recording all relevant incidents
- detailed investigation to identify immediate and underlying causes and action to prevent recurrence - use of written investigation procedures
- weaknesses or omissions in the firm's existing standards and safety policy
- organisational as well as technical failures
- initiation of immediate or early remedial action where necessary
- use of firm's records of injuries, near misses and ill health to identify problem areas and trends
- notification under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR).

Distribution and Review

The law requires the health and safety policy to be brought to the attention of all employees. The distribution of the policy will be determined by the size and structure of the company. The best way is for separate copies of the entire policy to go to each employee, although in some large firms where the arrangements section is broken down by department, it may be satisfactory for only the relevant part to be distributed to the appropriate individuals. Access to the complete policy for the whole firm must of course be available to all employees on demand, and its existence brought to their attention.

Once the policy has been published, distributed and put into action, line management should be made as accountable on health and safety matters as they are on production and other management functions.

There should be an identified procedure by which the operation of the policy is reviewed, in consultation with safety reps. Through this process, and the constant development of policy, progressive improvements in health and safety performance should be achieved.

It is essential to check that what is said should be done **is** done. Without this the policy is just an empty gesture and will be seen as such by employees and health and safety inspectors.

WHY MANAGE HEALTH AND SAFETY? (key elements from "Successful health and safety management – HSG65)

The HSE has identified key messages and questions for employers in setting out what is involved in good management of health and safety.

Step 1 - Set your policy

The same sorts of event that cause injuries and illness can also lead to property damage and interrupt production so you must aim to control *all* accidental loss. Identifying hazards and assessing risks, deciding what precautions are needed, putting them in place and checking they are used, protects people, improves quality, and safeguards plant and production.

Your health and safety policy should influence all your activities, including the selection of people, equipment and materials, the way work is done and how you design and provide goods and services. A written statement of your policy and the organisation and arrangements for implementing and monitoring it shows your staff, and anyone else, that hazards have been identified and risks assessed, eliminated or controlled.

Ask yourself:

- 1 Do you have a clear policy for health and safety; is it written down?
- 2 What did you achieve in health and safety last year?
- 3 How much are you spending on health and safety and are you getting value for money?
- 4 How much money are you losing by not managing health and safety?
- 5 Does your policy prevent injuries, reduce losses and really affect the way you work? Be honest!

Step 2 - Organise your staff

To make your health and safety policy effective you need to get your staff involved and committed. This is often referred to as a 'positive health and safety culture'.

The four 'Cs' of positive health and safety culture are:

- 1 **Competence:** recruitment, training and advisory support.
- 2 **Control:** allocating responsibilities, securing commitment, instruction and supervision.
- 3 **Co-operation:** between individuals and groups.
- 4 **Communication:** spoken, written and visible.

Ask yourself:

- 1 Have you allocated responsibilities for health and safety to specific people - are they clear on what they have to do and are they held accountable?
- 2 Do you consult and involve your staff and their representatives effectively?
- 3 Do your staff have sufficient information about the risks they run and the preventive measures?
- 4 Do you have the right levels of expertise? Are your people properly trained?
- 5 Do you need specialist advice from outside and have you arranged to obtain it?

Step 3 - Plan and set standards

Planning is the key to ensuring that your health and safety efforts really work. Planning for health and safety involves setting objectives, identifying hazards, assessing risks, implementing standards of performance and developing a positive culture.

Ask yourself:

- 1 Do you have a health and safety plan?
- 2 Is health and safety always considered before any new work is started?
- 3 Have you identified hazards and assessed risks to your own staff and the public, and set standards for premises, plant, substances, procedures, people and products?
- 4 Do you have a plan to deal with serious or imminent danger, eg fires, process deviations etc?
- 5 Are the standards put in place and risks effectively controlled?.

Step 4 - Measure your performance

Just like finance, production or sales, you need to measure your health and safety performance to find out if you are being successful. You need to know:

- where you are;
- where you want to be;
- what is the difference - and why.

Active monitoring, before things go wrong, involves regular inspection and checking to ensure that your standards are being implemented and management controls are working. Reactive monitoring, after things go wrong, involves learning from your mistakes, whether they have resulted in injuries and illness, property damage or near misses.

Ask yourself:

- 1 Do you know how *well* you perform in health and safety?
- 2 How do you know if you are meeting your own objectives and standards for health and safety? Are your controls for risks good enough?
- 3 How do you know you are complying with the health and safety laws that affect your business?
- 4 Do your accident investigations get to *all* the underlying causes - or do they stop when you find the first person who has made a mistake?
- 5 Do you have accurate records of injuries, ill health and accidental loss?

Step 5 – Learn from experience – audit and review

Monitoring provides the information to let you review activities and decide how to improve performance. Audits, by your own staff or outsiders, complement monitoring activities by looking to see if your policy, organisation and systems are actually achieving the right results.

Ask yourself:

- 1 How do you learn from your mistakes and your successes?
- 2 Do you carry out health and safety audits?
- 3 What action is taken on audit findings?
- 4 Do the audits involve staff at all levels?
- 5 When did you last review your policy and performance?