



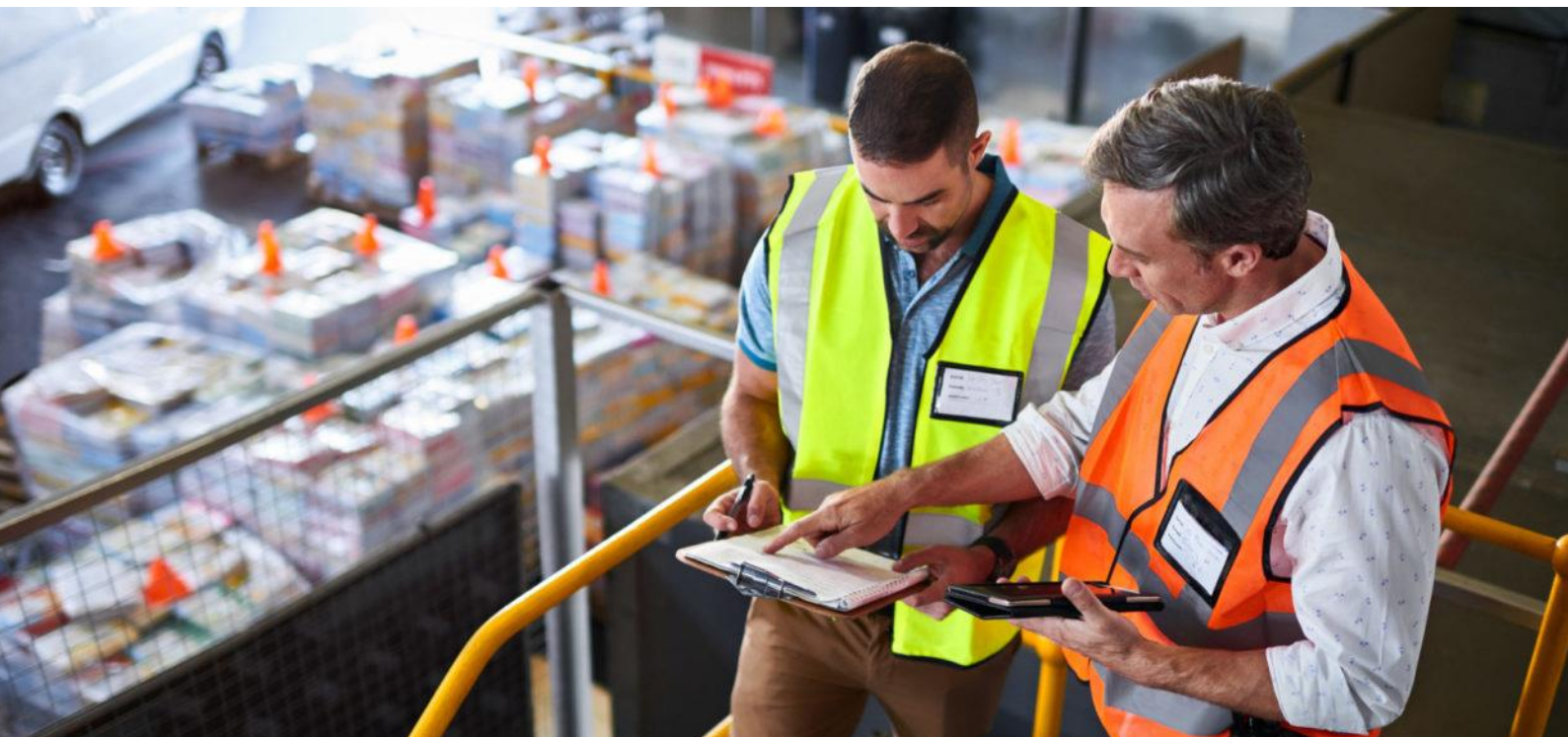
OSH Association UK

Occupational Safety and Health Training

International Professional Certificate in Occupational Safety and Health

COURSE 103 GUIDE

HEALTH & SAFETY MANAGEMENT SYSTEM



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Revision Question

The ILO – Guidelines on Occupational Safety and Health Management Systems (ILO-OSH 2001)

follows a structure that uses the following key elements

- Policy
- Organising
- Planning and implementation
- Evaluation
- Audit
- Actions for improvement

SETTING UP A POLICY

Organisations that are successful in achieving high standards of health and safety have health and safety policies which contribute to their business performances, while meeting up with their responsibilities to people and the environment in a way which fulfils both the spirit and the letter of the law. In this way, they satisfy the expectations of shareholders, workers, customers and the society at large.

Their policies are cost effective and aimed at achieving the preservation and development of physical human resources and reductions in financial losses and liabilities. Their health and safety policies influence all their activities and decisions, including those to do with the selection of resources and information, the design and operation of working systems, the design and delivery of products and services, and the control and disposal of wastes.

ORGANISING

Organisations that achieve high health and safety standards are structured and operated so as to put their health and safety policies into effective practice. This is helped by the creation of a positive culture that secures involvement and participation at all levels. It is sustained by effective communications and the promotion of competence that enable all workers to make a responsible and informed contribution to safety and health effort.

The visible and active leadership of senior managers is necessary to develop and maintain a culture supportive of health and safety management. Their aim is not simply to avoid accidents, but to motivate and empower people to work safely. The vision, values and beliefs of leaders become shared 'common knowledge' for all.

PLANNING AND IMPLEMENTING

These successful Organisations adopt a planned and systematic approach to policy implementation. Their aim is to minimize the risk created by work activities, products and services. They use risk assessment methods to decide priorities and set objectives for hazards elimination and risk reduction.

Performance standards are established and performance is measured against them. Specific actions needed to promote a positive health and safety culture and to eliminate and control risks are identified. Wherever possible, risks are eliminated by the careful selection and design of facilities, equipment and processes or minimized by the use of physical control measures. Where this is not possible, provision of a safe system of work and personal protective equipment are used to control risks.

EVALUATING (MONITORING, REVIEW, MEASUREMENT, INVESTIGATION)

Procedures to monitor, measure and record health and safety performance on a regular basis should be developed, established and periodically reviewed. Responsibility, accountability and authority for monitoring at different levels in the managing structure should be allocated. The selection of performance indicators should be according to the size and nature of the activities of the organisation and the health and safety objectives. Performance monitoring and measuring should be used to determine the extent to which the policy and objectives have been met and risks controlled.

Health and safety performance in Organisations that manage health and safety successfully is measured against pre-determined standards. These reveal when and where action is needed to improve performance. The success of action taken to control risk is assessed through self- monitoring that involves a range of techniques.

These includes an examination of both hardware (premises, plant and substances) and software (people, procedures and systems), including individual behavior. Failure to control risks is assessed through reactive monitoring which requires the thorough investigations of accidents, ill health or incidents with the potential to cause harm or loss. In both active and reactive monitoring, the objectives are not only to determine the immediate causes of sub- standard performance but, more importantly, to identify the underlying causes and the implications for the design and operation of the health and safety management systems.

Be it learning from all relevant experiences and learning the lessons, learning is an important element in effective health and safety management. This needs to be done systematically through regular reviews based on data both from monitoring activities and from audits of the whole or part of the health and safety management system. Review of the health and safety management system and its elements is an essential activity and provides a good basis for continuous improvement actions.

AUDITING

This formal process is specifically designed to determine the extent to which the health and safety management system, or elements of it, are compliant with standards (in place, adequate and effective). Internal auditing will confirm compliance with internal standards.

From time to time it is critical that the whole health and safety management system be audited by an independent organisation to determine the extent to which it complies with recognised health and safety management systems and appropriate legislation. An audit policy and programme should be developed, which includes auditor competency, the audit scope, the frequency of audits, audit methodology and reporting.

Employers Involvement in Health & Safety at Work

Employers have legal duties to manage health and safety risks arising from their work. They have the ultimate accountability for the impact their activities have upon the safety, health and well-being of employees and anyone else affected by their work.

Who is an Employer?

We all know that an employer is someone who gives work to others and pays them to do that work, but in the eyes of the law an employer is not a person but an organisation. An employer is a 'body corporate' – a legal status that is separate from the individuals who run the organisation.



In a sole tradership or partnership, the person who runs all or most of the day-to-day business usually represents the body corporate. In large Organisations there is often a board of Directors that represents the employer. The board usually delegates health and safety responsibility to a particular Director or to one or more Managers.

In local authorities (councils), the responsibilities of the employer are represented by council officers who report to elected councilors. The employer's responsibilities in voluntary Organisations are usually represented by trustees or directors who delegate the responsibility of health and safety to managers.

Board Involvement on Improved Safety Record

Following the death of three workers, the board of a large company led a comprehensive review of health and safety. All Directors were assigned health and safety responsibilities.

The board received monthly reports on health and safety; created more effective working partnerships with employees, trade union representatives and safety representatives; established an audited programme of behavioural changes; and published annual health and safety targets and initiatives to meet them.

This resulted in a 43 percent drop-in time lost to injuries over two years and a 63 percent reduction in major health and safety incidents in one year.

Responsibilities

The employer has a duty to ensure, so far as is reasonably practicable, health, safety and welfare at work of all employees and others affected by the work of the organisation. Employers also have legal responsibilities for the health and safety of their customers if they design, manufacture or import products.

All employers and their directors have duties of care under the common law of negligence. If a breach of health and safety legislation occurs, the corporate body and/or individual managers or directors could be prosecuted.

Self-employed people have the same responsibilities as employers, as far as the general impact of their work is concerned.

IMPRISONMENT FOR DIRECTOR AFTER PAPER SHREDDER'S DEATH

A company director received a twelve-month custodial sentence following the death of an employee at a paper recycling facility. The director pleaded guilty to manslaughter and health and safety charges. The company was also fined £30,000 with a cost of £55,000.

The employee had climbed into an industrial paper-shredding machine to clear blockages when the machine restarted, fatally injuring him.

The machine contained a series of hammers projecting 15cm from a shaft, which revolved at high speed. There was no local electrical insulator provided for the machinery so it could be securely isolated while unblocking work was being carried out. This meant that it could be started up while someone was inside it. The company had not created a safe system of work for unblocking the machine and the electrical controls for the machine were contaminated with dust so that they were unreliable.

The court heard the Director chose not to follow the advice of his health and safety consultant and instead adopted a complacent attitude allowing the standards in his paper recycling business to fall. The death could have been prevented by having an insulator for the shredder, a safe system of work for clearing blockages, together with adequate instruction, training and supervision of the staff.

Manager's Involvement in Health & Safety at Work

Managers are often the key to health and safety culture of an organisation. Together with Directors, they set the policy. They organise financial resources, appoint people, design health and safety management systems, guide supervisors and work with safety representatives.

Key Words and Phrases

Competent person – someone with the appropriate qualifications, knowledge and experience to identify the risks arising from a situation and the measures needed to control them.

Health and safety culture – the integration of health and safety awareness and controls into day-to-day workplace practices. Also, the attitudes, beliefs and behaviors towards health and safety within the organisation.

Managing Health and Safety

Individual Directors and Managers are delegated the legal duties of the employer, including health and safety responsibilities.

You do not have the words health and safety in your job title to be responsible for some aspect of the subject. Your exact role depends on your job description.

Managing health and safety at work involves actions such as:

- Planning for health and safety
- Setting standards
- Implementing the health and safety policy
- Organising the employees in ways that they can implement the health and safety policy as part of their work activities
- Measuring health and safety performances
- Auditing the whole health and safety system
- Reviewing health and safety performances
- Reporting performance to employers.

The following paragraphs outline aspects of health and safety management.

Planning and Organising an Effective Health and Safety Structure

Policies and Implementation

Employers and managers establish the health and safety policies in an organisation and managers lead the implementation of these policies.

Managers design the health and safety management system and policy for the organisation based on the organisation's aims, objectives, ethics and values. They should do this with the aid of information from the board of directors (if there is one), supervisors, safety representatives and employees.

Managers set up the structure of the health and safety management system and appoint key people to oversee it in the organisation – for example, they decide on the job descriptions for supervisors and specify their health and safety responsibilities, and they appoint safety representatives on the recommendation of recognised trade union(s) at the workplace. Where appropriate, they may also set up health and safety committees in consultation with trade unions.

Resources

Adequate resources are essential and it is up to managers to ensure that there are appropriate financial and personnel resources.

Communication and Involvement

Managers need to establish ways to involve employees, or their representatives, in health and safety matters. Staff involvement improves awareness of and commitment persons to safe and healthy work practices and employees can provide essential information that can improve overall health and safety standards.

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Managers need to create and maintain good relationships with supervisors, safety representatives and employees.

With employers they should set up procedures for dealing with disputes, discipline and grievances. In some cases they will be involved in resolving conflicts on health and safety issues and will generally make the final decision.

The task involved with managing can seem lonely and complicated at times, but regular and effective communication with other managers, supervisors and others, not only helps the manager's own work, but also benefits the organisation and individual employees, and makes for effective teamwork.

There is a legal requirement to obtain competent advice from competent people who can advise on health and safety issues, and competent persons are usually appointed by managers

RISK ASSESSMENT

The manager of health and safety at work is based on risk management. Managers must ensure that systems are in place to assess risks and implement appropriate controls.

Managers should receive monitoring reports from supervisors and make decisions about any recommended changes – for example, changes in work procedures. They need to ensure that adequate records are kept, although it may be a supervisor who makes the records. Managers also gather other information from supervisors and safety representatives to help improve the health and safety policy at work procedures.

Routine reports on health and safety performance can help to improve the management of health and safety, show commitment and provide evidence of a good health and safety culture. Managers should monitor the impact of new systems, procedures, legislation and report the main issues to the board.

Managers should ensure that health and safety performance is monitored and that periodic audits are carried out to demonstrate that management systems, structures and risk controls are working. There should be procedures for adjusting systems and practices where monitoring and audits show that performance is not up to date.

Monitoring and periodically analysing sickness, absence and other records, such as accidents, helps to alert managers to possible underlying problems that could put individuals at risk and damage the performance of the whole organisation.

REVIEWING HEALTH AND SAFETY PERFORMANCE

Formal reviews of performances give managers confidence that there is a strong health and safety culture in the organisation. The information in these reports must be both incident data and cultural issues such as prevention measures, training and maintenance programmes.

Reviews should be held once a year. The review should examine whether the health and safety policy reflects the organisation's priorities, plans and targets; check whether risk management and other health and safety management systems have been reported effectively to the board; point out shortcomings and address weaknesses.

Working with Contractors and Consultants

Many organisations engage contractors and consultants to help them carry out their work. When this work takes place at an employer's premises, both the employer and the contractor (or consultant) have legal duties to one another to safe guard health and safety, and they have joint legal responsibilities to work together on health and safety matters.

Who is a Contractor or Consultant?

Contractors and consultants are people who carry out work on a client organisation's behalf who are not pay-as-you-earn employees of the client.

Examples include a development company engaging specialists to demolish a building before new construction starts; a manufacturer engaging an approved asbestos contractor to remove asbestos from a building; a bank contracting out their office cleaning to a

specialist cleaning firm; a concert hall engaging a health and safety expert to measure noise; a publishing company engaging a specialist editor for a book; a tree surgery company calling in a specialist twice a year to check the safety of their climbing equipment.



Joint and Mutual Responsibility

Employers and contractors (consultants and sub-contractors) have joint responsibilities to work together in the interest of health and safety under The Management of Health and Safety at Work Regulations 1999 and under regulations (and their amendments) dealing with specific hazards, such as The Control of Substance Hazardous to Health Regulations 2002, The Control of Lead at Work Regulations 2002, The Control of Asbestos Regulations 2006 and The Construction (Design and Management) Regulations 2007.

Managers and supervisors from the client organisation and the contracted company must work together to ensure that the workforce and others affected by work activities are protected from harm. The managers (supervisors) have the delegated responsibility of the employer.

Management Role

Through their managers (and supervisors), client employers need to clearly identify all aspects of the work they want the contractor to do. Both the employer and the contractor (and any subcontractors) must carry out a risk assessment of the task to be done, including the risk from each other's work, and set up appropriate controls for the work. Documents should make clear issues such as:

- Safe systems of work
- Emergency procedures
- What equipment should or should not be used (and permits to work)
- Personal protective equipment to be used

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Who is responsible for contracting the right number of people to do the job safely. Managers of the client employer need to select a contractor who is suitable for the job. They should decide what information, instruction and training is required for the client company's employees, how co-operation and co-ordination between all parties can be achieved, how the workforce is to be consulted and the level of management and supervision required.

The four key issues are:

- Communication
- Co-operation
- Control
- Competence.

Communication

All parties must provide their employees with information, instruction and training on the issues involved in the contracting task. Just as importantly, they need to consider what information should be passed between them and agree on appropriate ways to make sure this is done. They need to exchange clear information about the risk arising from their operations, including preventive measures, relevant safety rules and procedures, and the procedure for dealing with emergencies. Each of the parties needs also to consult its workforce on the contract and the issues that arise from the risk assessment. In other words, everyone must talk to one another.

Managers or supervisors with delegated responsibility must ensure that contractors know and understand what standard of performance is expected.

Co-operation

In any client/contractor relationship, there must be co-operation and co-ordination between all the parties involved to maintain a good health and safety culture. The manager of the client organisation should set up liaison arrangements with all parties.

This could take the form of regular meetings or briefings. This is particularly important where variations of the work are proposed or where more than one contractor or subcontractor is engaged.

Control

The managers of the client organisation should decide what needs to be done to manage and supervise the work of contractors effectively. The more impact the contractor's work could have on the health and safety of anyone likely to be affected, the greater the management and supervisory responsibilities of the employer.

Client organisation, contractors and subcontractors should all monitor their health and safety performance. This means checking whether the risk assessment is up to date and that control measures are working.

Through their managers and supervisors, client employers should make periodic checks on the contractors' performance to see whether the work is being done as agreed. Where health and safety requirements are not being met, the first step is for the employer and the contractor to find out why and then put matters right.

If health and safety performance is not brought up to requirement the client employer may need to stop the contractor working on the job until those requirements can be met.

Competence

The managers of client organisations need to select a suitable contractor and who is competent to do the job in question.

They need to satisfy themselves that the contractor have sufficient skills, knowledge, qualifications and experience to do the job safely. The degree of competence required depends on the work to be done.

Some of the things that can be taken into account when employing a contractor are:

- Their experience in the type of work you want done
- Their health and safety policies and practices
- Their recent health and safety performance (number of accidents and so on)
- What qualifications and skills their staff have
- Their selection procedure for their subcontractors
- Their safety method statement for the job
- What health and safety training and supervision they provide
- Their arrangement for consulting their workforce
- Whether they have any independent assessment of their competence
- Whether they are members of relevant professions or trade bodies
- What their arrangement are for refresher training and continuing professional development
- Levels of insurance, such as public liability and professional indemnity.

Supervisors Involvement in Health & Safety at Work

Supervisors have a unique pivotal role in the workplace because they can influence both employees and managers. In supervising the day-to-day work of employees, supervisors can monitor employees' activities, train them to understand best practices, and ensure that they achieve the highest possible standards.

In providing crucial information to the senior management team, supervisors can persuade, encourage or even pressurise managers into improving the health and safety systems at work and into fulfilling the organisation's legal obligations.

Key Words and Phrases

Audit – a formal examination against a fixed standard by competent people who are independent of the area of work being audited.

Competent Person – someone with the appropriate qualifications, knowledge and experience to identify the risk arising from a situation and the measures needed to control them.

Hazard – a source of danger: anything, condition or circumstance that could cause harm to people or damage to property.

Health and safety culture – the integration of health and safety awareness and control into day-to-day workplace practices.

Monitor – regular, often daily, checks on what is going on in a workplace, which helps to deal with problems as they arise.

RISK – a measure or scale of the likelihood that harm will occur from a particular hazard, and severity of the consequences.

RISK ASSESSMENT – a systematic process for identifying workplace hazards and assessing the risks involved from those hazards.

Supervisory Management (of health and safety) – the implementation and development of an organisation's health and safety policy.

Training Needs – what sort of, and how much, training the workforce and/or individual employees require.

The Role of Supervisors

Supervisors help managers to manage health and safety at work. Their main role is to implement the organisation's health and safety policy.

The exact part they play in the management process depends upon the particular job specification but probably falls into the range of activities described as **supervisory management**. Whatever the job title, the supervisor's responsibilities include putting into practice the health and safety systems and controls designed by the management team, after having consulted supervisors, employees and safety representatives.

The likely activities of a supervisor with responsibilities for some aspects of health and safety include:

- Planning, monitoring, measuring performance and auditing
- Keeping effective records
- Organising the employees in the way that they can implement the health and safety policy as part of their work activities
- Developing good working relationships – with employees, safety representatives and managers
- Providing motivation
- Handling conflict and dealing with disciplinary procedures
- Organising training and development.

PLANNING, MONITORING, MEASURING PERFORMANCE AND AUDITING HEALTH AND SAFETY

Supervisors need to be involved in planning of health and safety activities, the training of employees and the monitoring of health and safety performance standards.

Their knowledge and understanding of the hazards at the work should enable them to carry out, or to organise a risk assessment and make suggestions about suitable controls to reduce risks.

They should monitor work activities to make sure that health and safety procedures are being followed. If, however, things do go wrong and an accident happens, they may be asked to investigate and make recommendations to managers about improvements needed to prevent further accidents.

They need to air any concerns about health and safety by dealing with them directly, by working with safety representatives and safety committees or by telling managers about them.

They should also help to identify the training needs of the organisation – what sort of, and how much training the workforce requires – by looking at employees' tasks and skills and deciding whether individuals are competent to do their job in safety.

KEEPING RECORDS

Supervisors need access to a wide variety of company documents and are likely to be involved in creating and maintaining some types of record, and influencing others. The documents that a supervisor may need to handle include:

- The organisation's health and safety policy
- Generic and specific risk assessment and their findings, including **COSHH** and other legally-required risk assessments
- Company rules and procedure

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- A Written Safe System of Work
- Monitoring records
- Accident records, including F2508 forms
- Health and safety training records
- Register of competent persons
- Health surveillance records
- First aid records, including first aiders and appointed persons
- A fire plan and/or fire risk assessment
- Written fire and emergency procedures
- Fire inspection records, including fire drill records and alarm test records
- Examination and test certificates for work equipment, lifting equipment and fork-lift trucks
- Maintenance and repair records for work equipment
- Written schemes of examination for pressure systems
- A health and safety law poster
- Safety committee minutes
- Employee consultation records
- Details of visits by enforcement officers
- Health and safety legislation, for example, health and safety at work etc. Act 1974
- Approved codes of practice
- Health and safety Executive publications
- Industry standards and publications.

The use of such records is good evidence of a robust health and safety culture and helps managers and supervisors to improve communication throughout the company and to avoid any biased judgement that can occur if employees and employers try to remember details that have not been written down.

Supervisors should ensure that sufficient information is recorded, particularly the key facts, and that the record keeping is accurate and consistent. (A consistent format makes comparisons easier between different records.)

Organising and Supervising Tasks

Supervisors implement the health and safety policy of the organisation by overseeing tasks on behalf of management. Tasks should be carried out in accordance with the organisation's health and safety policy.

New employees are people who have changed jobs within an organisation and may need more supervision than others. Competent people also need a certain amount of supervision to make sure that they maintain standards and do not fall into bad habits. In some cases, the level of supervision is prescribed by law – for example, a young person working with a dangerous machine should be supervised all the time until he or she demonstrates competence.

Supervisors should be involved in the induction of new staff and in their training, development and motivation.

Supervision should be proactive and should give particular attention to those at a higher risk of injury or ill health than others – for example, people working alone or part-time workers.

DEVELOPING GOOD RELATIONSHIPS

Relationship with Managers

It is important for supervisors to develop and maintain an effective working relationship with their senior managers and fellow supervisors. It may be helpful to consider their role as that of supporting the senior managers in dealing with health and safety management issues.

Members of the senior management team expect supervisors to implement and monitor health and safety matters including the health and safety policy, and report to the middle or senior manager any major issues that may require a change in procedures or the introductions of new equipment or safety measures. However, they also expect supervisors to deal with relatively minor issues themselves. For example, if safety procedures are not being followed, the supervisor will need to remind employees of what is correct.

Communication – The Strong Link

Communication is a two way process. Supervisors are essential channels between employees and managers. They can help to ensure that communication is effective between the two groups and that problems are dealt with swiftly. When the employer wants to consult with the employees, the supervisors can help to make the consultation effective and, possibly problem free. They also work with safety representatives to facilitate their role in the organisation.

Employee Relations

Supervisors also need to be team builders, encouraging employees to work together and achieve the aims of the health and safety policy of the organisation. This involves supporting team members so that they can appreciate the risk involved in tasks and therefore help to eliminate or control risks themselves. Supervisors can also be trainers and may act as mentors, working alongside colleagues.

Providing Motivation

Providing motivation and encouragement is an important part of achieving a health and safety culture in the workplace – the integration of health and safety awareness and control into the workplace practice.

Supervisors can help to motivate employees to follow good health and safety practices by seeing their views. It is important for staff to know that their contribution really counts. Supervisors should encourage staff to report problems by welcoming any comment they make.

It is essential to treat employees who make reports fairly and openly, giving their confidence, trust and sense of security in individual supervisors while making comments about health, safety and welfare issues.

Supervisors can exchange information, pass information, requests and worries 'up the line' and ensure that staff sees the outcomes of their comments, complaints and suggestions. This may involve supervisors who give support and advice and lead project teams. They should always record comments and respond quickly by investigating them and producing feedback on progress.

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Handling Conflicts and Dealing with Disciplinary Procedures

Health and safety supervisors may also be expected to deal with conflicts among employees on personal, professional and health and safety matters, for example – and between employees and managers. They need to smoothen their working relationship and suggest solutions that can eventually be agreed on and accepted by all the parties involved.

At some point, supervisors may be involved in disciplining an employee for a breach of health and safety rules. It is important that they follow clear guidelines laid down by their managers.

Constraints

Health and safety is just one of many demands on an organisation and its management, so supervisors may also need to juggle the demands and available resources of the organisation with health and safety requirements. Risks cannot be eliminated totally, and the controls implemented to reduce the risk of injury and ill health need to be reasonably practicable in the interest of health and safety. The supervisor has a very important role in finding reasonable solutions in consultation with managers, safety representatives and employees.

Organising Training and Development Activities

Supervisors are likely to be involved in the identification of training needs, the induction of new employees, on-the-job instruction and training, formal training, and organising emergency procedures.

Personal Characteristics

Good supervisors are open, fair, well informed and well organised. They keep employees informed and treat them with respect and as individuals. They also ensure that managers have all the information and support they need to establish policies and procedures.

Supervisors are normally given some discretionary powers by their employer or manager for dealing with health and safety issues. Even so they must always act within the procedures laid down in the health and safety policies. Whatever responsibilities they are given, they must be competent to do the task which has been set.

Supervisors must have had the appropriate training and experience relevant to undertake their role. Their employer should ensure that they are given suitable training, instruction and guidance to do the job they are employed to do. It is also in their own interest to keep abreast of the training and development opportunities available from professional bodies and training providers that could enhance their own work performance and, in turn, the health and safety record of the organisation.

Employees and other Stakeholders

Several groups of people are affected by health and safety conditions in a workplace, including employees, the self-employed, contractors, members of the public, visitors, voluntary workers and work experienced students.

Employees and Other Workers

The majority of people at work are employees. They may also be referred to as workers. An employee/worker works under a contract of employment, which sets out what the job is and often includes terms and conditions.

Employees have certain rights, including a right to work in a safe and healthy environment. They also have certain responsibilities, such as taking reasonable care of their own health and safety and that of their colleagues.

Some people working for an employer may not have a contract of employment with that employer, or have different contractual agreements. They include agency workers, short-term casual workers and freelancers. These workers have the same rights as employees as far as health and safety is concerned.

The Self-Employed

Self-employed people do not have a contract of employment with an employer. They are normally contracted to provide services over a certain period for an agreed fee.

The self-employed have similar rights as an employee for health and safety purposes when working in someone else's workplace. They also have similar responsibilities for their own health and safety and for the health and safety of others who may be affected by their actions.

VOLUNTARY WORKERS, TRAINEES AND WORK EXPERIENCED STUDENTS

Voluntary workers, trainees and people on work experience are regarded as employees as far as health and safety at work is concerned.

Employers must assess the risks to them, and particularly to people under the age of 18, before they start work and must tell them what the risks are. Supervisors may be involved in assessing the risks involved and ensuring that there is an appropriate induction, health and safety training, advice and supervision. Any necessary personal protective equipment required for the work must be supplied by the employer.

When engaging voluntary workers, trainees and work experienced candidates:

- Take into account the inexperience of young people and their physical and mental immaturity
- Adopt measures to reduce the risk of injury to the lowest possible level.
- Tell the parents or guardians of young people what the outcome of the relevant risk assessments are before work starts
- Prohibit voluntary workers, trainees and work experienced students from doing any work where a significant risk remains after reasonable precautions have been taken.
- Prohibit young people under the age of 18 from doing work that cannot be adopted to meet their physical and mental capabilities or that would expose them to hazardous substances, radiation, extreme heat or noise and vibration (children under 16 years old must not be allowed to do any work involving these risks)

- Train the workers to do the work in ways that do not put them or others at risk
- Ensure that the training covers hazards, risks and control measures in the workplace and basic health and safety practices
- Provide closer supervision for young people than for adults.

Contractors

Contractors are engaged to do work for a client organisation but are not employees of that company.

MEMBERS OF THE PUBLIC AND VISITORS

All employers owe a duty of care to the public who may be affected by their operations. These include shoppers, people walking by a construction site or residents who live nearby.

Employers also have a responsibility for visitors to the workplace such as customers, suppliers and members of the public.

In general, employers should warn visitors about any hazards that they may be exposed to and they should be aware of any emergency procedures.

Trade unions have a legal right to appoint official safety representatives in workplaces where any union is officially recognised by the employer. With the agreement of the employer, employees can also elect non-union representatives of employee safety.

The representatives put the employees' views on health, safety and welfare matters to the employer, health and safety executive (HSE) and other enforcing authorities, such as local councils. For their part, employers must consult the representatives in good time about developing health and safety measures in the workplace.

The number of representatives is normally negotiated between the employer and the union or between the employer and the employees where there is no union recognition. The number usually depends on the number of employees and size of the workplace, the variety of occupations, the type of work activity and the hazards and risks involved.

Key Words and Phrases

Competent person – someone with the appropriate qualifications, knowledge and experience to identify the risks arising from a situation and the measures needed to control them.

INSPECTION – the assessment of health and safety performance of a workplace, which enables any necessary remedial measures to be taken.

Reportable accident – an accident that must, by law, be reported to the enforcing authorities.

Representative of employee safety – an employee elected by non-union employees to represent them in health and safety matters.

Safety committee – a committee set up to deal with health and safety matters in the workplace.

SAFETY REPRESENTATIVE – an employee appointed by a trade union to represent them on health and safety issues.

Roles

The functions of safety representatives and the requirements for safety committees are described in the safety representatives and safety committees' regulations 1977. Under the health and safety (Consultation with employees) regulations 1996, representatives of employee safety have similar functions to trade union safety representatives.

Union-appointed safety representatives have the legal function of carrying out the following duties:

- Identify hazards in the workplace
- Investigate accidents
- Investigate complaints by employees about health and safety issues
- Carry out safety inspections
- Be consulted by employers about health, safety and welfare issues
- Take part in formulating risk assessment procedures
- Represent employees in discussions with the employer and enforcement officers
- Receive information from the employer and enforcement officers
- Attend meetings of the organisations' safety committee
- Investigate notifiable accidents, cases of diseases or ill health, and dangerous occurrences.

Representatives of Employee Safety have similar roles.

Employers have a legal duty to allow union-appointed safety representatives to take paid time off during working hours to carry out their role and to undertake training.

Training

Representatives need to know how best to carry out their responsibilities. Training courses are often provided free of charge by individual trade unions, the trade union congress and the Scottish Trade Union Congress. Training topics include health and safety legislation; the role of safety representatives; identifying hazards and minimising risk; workplace inspection and accident investigations. Non-union courses are offered by other training providers.

Access to Information

As well as knowing the workplace and its procedures thoroughly, representatives also need to have access to:

- Relevant health and safety information
- Suitable facility and assistance to enable them carry out their functions.

Relevant health and safety information includes accidents and health surveillance records – see also below. Suitable facilities depend on circumstances. They might include the use of:

- A telephone
- An office where they can meet with employees in private
- A lockable filing cabinet
- A camera
- A notice board for employee information.

Assistance include help from a supervisor or manager who might prepare a report (to the safety committee, for instance) at the request of a representative.

In medium and large organisations, safety representatives are more likely to work regularly with supervisors and might meet managers only at safety committees. In small organisations, there is likely to be day-to-day contact between all parties.

Inspection

Union-appointed safety representatives can carry out **INSPECTIONS** of the workplace every three months, if the employer is given reasonable notice in writing, or after a **reportable accident** has occurred. The inspection can include taking samples of harmful substances and checking records. Inspections help to indicate where controls are needed.

The safety representatives have the legal right to inspect any document relevant to health and safety, except those that could threaten:

- National security
- Trade secrets
- The privacy of individuals
- Legal proceedings

CONSULTATION

Employers must consult safety representatives and employees about:

- The introduction of new measures and technologies that could substantially affect the health and safety of employees
- The arrangements for appointing competent persons
- The provision for health and safety information for employees
- The planning and organisation of health and safety training for employees.

In good time

Employers must consult safety representatives 'in good time', about health and safety measures. This means that the employer/manager must allow enough time for consultation before making a final decision on any action to be taken. The process can be thought of as having three stages:

- The employer informs the safety representatives about what is proposed
- The safety representative consult with employees
- The safety representative report back to the employer.

This process allows the workforce to consider the possible impact of health and safety changes before they are made. In turn, this is likely to help to improve procedures and work practices and may also motivate workers to follow procedures more diligently because they have been involved in developing them.

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CONTACTING ENFORCING AUTHORITY OFFICERS

Safety representatives are entitled to contact enforcing authority officers directly for information. The officers are most likely to be HSE inspectors, or local authority health and safety enforcement officers. In some work sectors, such as catering, retail shops and offices, local authority environmental health officers are the enforcing officers with responsibility for health and safety. If there is a formal complaint about conditions at a workplace, inspectors will have an expectation that the safety representative have already raised the matter with the employer and will check whether the complaint has been reported to the employer. Inspectors can, however, be contacted anonymously, or, if requested to do so, will keep secret the person's identity.

MAIN ACTIVITIES

In summary, safety representatives:

- Carry out health and safety inspections in and around the workplace
- Raise the manager's health – and safety-related matters that have been identified by representatives or referred by staff members
- Alert work colleagues of risks
- Remind employees of their obligations regarding their own health and safety and that of others
- Investigate reportable accidents or incidents
- Represent employees in consultation with health and safety inspectors or enforcing authorities

SAFETY COMMITTEES

Safety committees exist to improve health, safety and welfare measures at work. The committee reviews the measures designed to protect the health and safety of the workforce.

In the process, they promote corporation between employer and employees on health and safety matters, draw on the employees considerable knowledge of working conditions, processes and procedures that helps the employer to develop, promote, monitor and amend their health and safety management systems.



A typical committee includes managers, supervisors, safety representatives and other employee representatives.

If asked to do so in writing by at least two union-appointed safety representatives, an employer must set up a safety committee within three months of the request.

By working together, managers and representatives should agree:

- What they aim to achieve
- How often to meet
- How to organise the meetings; for instance, who chairs the meetings.

COMMITTEES TYPICALLY:

- Review statistics for accidents, notifiable diseases and safety audits so that reports can be made to the employer about unsafe and unhealthy conditions and the corrective actions needed.
- Consider safety representatives reports
- Consider enforcement officers report
- Liaise with the enforcing authority
- Develop safety rules and procedures and safe systems of work
- Monitor the effectiveness of employee training programmes
- Monitor and review the health and safety information and publicity being provided in the workplace
- Review risk assessments
- Examine safety audit reports
- Monitor all arrangements for health and safety and revise them whenever necessary.

PASSING ON THE MESSAGE

Safety committees can help one person's experience of ill health from becoming a common occurrence.

A college lecturer damaged his voice box after filing in for absent colleagues. His managers arranged adjustments, such as the use of the microphone, laptop computer, projector and portable white boards so that he could carry on teaching but less intensively.

When his voice eventually improved he told his safety committee about his experiences. As a consequence the committee encouraged the local colleges to give lecturers advice about voice training and the use of teaching aid to protect their voices.

Gathering information

Representatives need to gather information before making a case to the employer about action on health and safety standards. Several internal sources of information can be used to identify health and safety issues that need attention. They include the organisations':

- Risk assessments
- Regular inspections of the workplace
- Safety audits
- Accident investigations
- Own employees

Employees and supervisors are often excellent sources of information and can help safety representatives to identify all relevant hazards, assess the risks and suggest appropriate controls that need to be introduced.

Work-Life Balance

An electricity generating company works closely with four recognised trade unions in the workplace. Safety representatives are encouraged to get involved in corporate level initiatives.

Information is shared openly and they carry out consultations with staff and their unions on key health and safety issues before management decisions are taken. As a consequence the company has:

- Invested in additional health and safety trainings for managers, safety representatives and other staff
- Provided staff with leisure facilities to help staff with a good work-life balance
- Provided an in-house training centre with a wide range of training resources to promote training and development with advice from the safety committee
- Provided learning programmes for contractors and the family members of staff.

The partnership helps managers and unions to work together to improve business, health, safety performance and culture, with commitment at all levels in the company.

Everyone in the workplace needs to work together if a good health and safety culture is to be achieved. Managers, supervisors, representatives, safety committees, employees and contractors all need to take part in managing risks in workplaces.

Key Words and Phrases

Competent person – someone with the appropriate qualifications, knowledge and experience to identify the risks arising from the situation and the measures needed to control them.

Information – guidance or direction regarding a specific procedure or action.

Reportable accidents – an accident that must, by law, be reported to the enforcing authorities.

Representative of employee safety – an employee elected by non-union employees to represent them on health and safety matters.

Safety committee – a committee set up to deal with health and safety matters in the work place.

Safety representative – an employee appointed by a trade union to represent them on health and safety issues.

Training – preparing a person to achieve a desired level of skill, knowledge or competence by the means of giving information, instruction and practice.

Training needs – what sort of, and how much, training the workforce and / or individual employees require.

FOUNDATIONS OF CO-OPERATION

Employers and employees should work together to ensure good practice and legal compliance in health and safety matters.

Co-operation on health and safety issues indicates that everyone has accepted their responsibilities and is more likely to work safely.



Such co-operation also helps to develop a positive health and safety culture, reduce accidents and ill health and their associated cost, meet customer demands and maintain credibility. The adopted system of cooperation could be part of the health and safety management policy.

There should be routine daily contact between employers (through the delegated managers and supervisors) and employees on health and safety matters. Team briefings should include regular items about health and safety in the workplace and there should be formal consultation with unions, where they are recognised in the workplace.

A schedule of safety meetings can be drawn up for, say, every three months. Information on notice boards can provide an efficient way of distributing health and safety information.

It is the fundamental principle of health and safety that everyone is responsible for his or her own health and safety and that of others.

Employers have their duties under the law and employees have their responsibilities. It is important that everyone accepts and follows his or her legal obligations. Communication and consultation with the work force is essential for these duties and responsibilities to be put into practice.

Communication

Effective communication is necessary to ensure that everyone at work has the information they need to fulfil their legal responsibilities and to reduce accidents and ill health at work.

Managers, supervisors, safety representatives and representatives of employee safety could hold regular meetings to discuss the health and safety implications of work activities. Safety issues could be aired in a newsletter or on a prominent notice board, and there should be plenty of opportunities for employees to contribute their ideas and raise any concerns.

BENEFITS OF EFFECTIVE PARTNERSHIPS

A large retail company has worked closely with unions for a number of years. Safety representatives are well trained and meet regularly with safety advisers and managers to discuss health and safety trainings. Two specific developments have had a real impact on health and safety:

- A system of in-depth investigations of all serious incidents- accidents, incidents, injuries are reported, recorded and followed up, and senior management and safety representatives investigate the more serious incidents and publish report which are distributed throughout the company
- An auditing system to monitor unsafe behaviour and influence safety behaviour – so that the partnership works and there is health and safety awareness.

In an emergency, good communication may literally be a question of life and death, so there should be effective systems in place to ensure good communication between team members or between different teams.

When work practices change or teams change, information should be provided for everyone in the workplace who might be affected. Several notable accidents have occurred because of failure in communication at a shift handover. In the 1983 Sellafield beach incident, for example, radioactive waste was accidentally discharged into the sea because of a breakdown in communication between people working on different shifts. One of the factors that was said to have contributed to the Piper Alpha oil leak fire in 1988 was also a failure to exchange information when a shift changed.

In the case of shift handovers, communication should ideally be face-to-face and two-way, with both 'participants' taking joint responsibility. It should be verbal and written, and based on an analysis of the information that incoming staff need. It should be given as much time as necessary.

CONSULTATION

Consultation is a two-way process. Consulting employees involves seeking their views about

health and safety issues, considering them carefully and feeding them into decisions. Workers must be consulted about health and safety matters that affect them before changes are made. Consultation can be carried out in several ways, such as:

- Informally through day-to-day discussion with employees and their representatives
- Formally by consultation meetings with union or employee representatives
- Informally or formally through a health and safety committee
- Formally through a safety committee and safety representatives.

Involving Employees

Employees, particularly safety representatives can get involved in:

- The development or review of the health and safety policy
- Taking on specific health and safety responsibilities
- Delivering general health and safety messages, designing and delivering training
- Structuring a safety committee
- Making health and safety plans and setting objectives
- Purchasing equipment and materials
- Designing new ways of working
- Operating risk control systems
- Problem solving
- Undertaking inspections
- Investigating accidents and near-misses
- Spotting hazards
- Auditing health and safety systems.

The health and safety executive has developed a comprehensive process for involving workers in health and safety. It advises, for example, that it is good practice to pilot (or test) improved new systems before they are rolled out more widely, and that employers should consider giving staff incentives to report health and safety incidents.

MOTIVATING EMPLOYEES

Some employees need encouragement to appreciate the benefits of good health and safety practices. A clear health and safety policy and a strong and positive health and safety culture can help.

FEAR

One of the biggest hindrances to staff motivation in health and safety is fear for job security or promotion prospects, fear of derision or fear of being blamed for an incident. Staff needs to know that their comments about health and safety are positively welcomed and that expressing concerns or reporting incidents will not lead to punishment.

Opportunities to Raise Issues

Employees need opportunities to voice any concerns and to see that their comments have made a difference. Managers should work to ensure that people in the lower levels of the organisation feel secure talking about their health and safety matters.

Managers should listen to people, from cleaners to the most senior Managers. Getting to know employees as individuals can also be an important part in keeping them motivated, as well as knowing about their lives outside work.

Incentives

Systems of individual or team/department incentives can spur people to having more effort. Some organisations find that meetings away from the usual workplace are a good way to bring employees closer together so that they provide neutral support. Research in many industries suggests that praise and recognition – from colleagues or managers – are powerful motivators.

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Training and Continuing Professional Development

The challenge of learning new skills and roles can be motivational. Many employees welcome the chance to undertake structured health and safety training and to gain recognised awards.

Additional Responsibility

Giving employees more responsibility for health and safety can be another effective way of keeping them interested in the subject.

Outside Help

Bringing outsiders, such as consultants, into the organisation can play a major role in boosting employee morale. Implementing their recommendation can boost confidence in the organisation.

Discipline

Where an employee continues to flaunt health and safety rules, disciplinary procedures may need to be started as a form of motivation.

Handling Conflict

Good consultation with employees reduces the risk of conflict in the workplace. Even so, managers, supervisors and representatives will sometimes come across situations where good health and safety practices and business demands seem to be in variance, and employees and managers cannot agree. Supervisors and representatives may be well placed to handle such conflict, whether it involves health and safety or not.

Conflict can arise in a wide variety of circumstances, such as:

- Where jobs are threatened, employers and employees may cut corners, so putting themselves and others at risk
- Where some employees think that safety procedures and precautions are unnecessary possibly because they are not properly trained
- When managers fail to accept suggestions from employees, and reports about safety risks seem to be ignored
- If one group of employees believes that another group is not working according to safety procedures
- Where staff thinks that employers introduce precautions which are based on cost only
- If an individual feels guilty for causing an accident, while some employees believe that the blame for an accident has been wrongly placed
- Whenever there is a fear of disciplinary action after blame for an accident has been decided.

Supervisors and safety representatives could identify and agree with employees and managers on the causes of the conflict. Once these are agreed on, possible solutions can be found. The advantages and disadvantages of the possible solutions should be considered, discussed and agreed with the people involved.

Whenever a conflict arises, act swiftly. Meet the individuals concerned and remain calm, showing interest and a readiness to listen to all points of view. Try to show sympathy with each of the parties involved, but be impartial.

Gather information and weigh up the evidence collected. If necessary, seek advice from the others who may have more experience and knowledge of the

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subject being dealt with. Don't make accusation or jump to conclusions before you have all the information.

Agree on a solution with the people involved and a time scale for the solution to be put in place or dealt with. If a solution cannot be found to the problem, then ask someone not involved to mediate between the conflicting parties.

Working with Enforcement Officers

It is important for managers, supervisors and representatives to co-operate with enforcement officers and to encourage employees to do likewise.

Normally either a manager or supervisor greets the enforcement officers. Sometimes the timing of the visit may be inconvenient, but it is worth spending time with the officer to discuss health and safety issues that could improve the organisation's performance. Ask for proof of identification: the officer should have a warrant card and identification. Try to arrange for safety representatives (or representatives of employees safety) to be available to discuss matters with the officer.

Accompany the officer during his or her inspection and give information about any company safety rules. Co-operating with any request, answer questions and provide the information asked for.

Introduce the officer to employees as appropriate and explain the purpose of the visit. Note any comments and advice that is given, once the visit is over, inform employees of its outcome.

Construction Management

Construction sites are busy, potentially dangerous working environments where people from many different organisations often have to work alongside one another. The construction (Design and Management) Regulations 2007, often abbreviated as the CDM Regs, places management duties on arrangement of people involved in a construction project to improve health and safety for everyone on the site.

In addition to duties under the management of health and safety at work regulations 1999, the CDM Regs place specific duties on clients, designers, principal contractors, contractors and CDM co-ordinators. All parties involved in the project have a number of common duties, such as to:

- Liaise
- Consult and co-operate
- Co-ordinate their activities
- Share information about the project

CLIENTS

Any organisation having construction or building work carried out as part of its business must make arrangements so that construction works can be carried out, so far as is reasonably practicable, without risk to anyone's health and safety.

Clients must provide pre-construction information about the site, the construction work or anything affecting the site.

Where a project is notifiable clients must also provide additional information in a health and safety file and appoint a CDM co-ordinator and a principal contractor. (a project is notifiable to the health and safety executive if the construction phase will be longer than 30 day).

Clients must also ensure that the principal contractor provides a construction phase plan.

Designers

Architects, engineers and quantity surveyors must avoid foreseeable risks to health and safety during construction work and related activities. They must not start work until a CDM co-ordinator is appointed.

Principal contractors

Principal contractors are usually the main or managing contractors for the work. They must plan, manage and monitor the construction phase in a way that ensures, so far as is reasonably practicable, that it is carried out without risk to health or safety. They must make sure that welfare facilities are sufficient, draw up site safety rules, take reasonable steps to prevent access by unauthorised persons to the construction site and give every worker a suitable site instruction. They must also prepare and implement a construction phase, plan and review, revise and redefine it.

Contractors

Builders, civil engineers, mechanical, electrical, demolition and maintenance consultants, partners and the self-employed must all plan, manage and monitor construction work carried out by them or under their control in a way that ensures that, so far as is reasonably practicable, it is carried out without risk to health and safety. Where the construction is notifiable they cannot start work until they have been given the names of the CDM co-ordinator and the principal contractor.

CDM Co-ordinators

CDM co-ordinators must be appointed where the project is notifiable. They give suitable and sufficient advice and assistance to the clients about the measures needed to comply with regulations during a project. The CDM co-ordinator must notify the HSE about the project.

SPECIFIC REQUIREMENTS

There are a number of specific requirements in regulations dealing with:

- Safe places of work
- Good order and site security
- The stability of structures
- Demolition or dismantling
- Explosives
- Excavation
- Cofferdams and caissons
- Report of inspections
- Energy distribution installations
- Preventing drowning
- Traffic routes
- Vehicles
- Managing risk and fire
- Emergency procedures
- Emergency routes and exits
- Fire detection and fire-fighting
- Fresh air
- Temperature and weather protection
- Lighting.

Revision Question

Do the following quiz to evaluate your performance of study and review with your course tutor.

Good starting for you:-)

1. What are the key elements for an effective management system?

2. List the roles of an employer in ensuring health and safety at the workplace

3. Define the following terms:

-Competent person

-Hazard

-Reportable accident
