



Health & Safety

What is it?

Great Britain has 150 years of health and safety tradition. The present system came into being in 1974 when all prior legislation was reviewed and replaced with the Health and Safety at Work Act (HSW Act).

- Your health, safety and welfare at work are protected by law.
- Your employer has a duty to protect you and keep you informed about health and safety.
- You have a responsibility to look after yourself and others.
- If there is a problem, you should discuss it with your employer or safety representative, if there is one.

Who is Responsible?

Your employer has a duty under the law to ensure, so far as is reasonably practicable, your health, safety and welfare at work.

Your employer must consult you or your safety representative on matters relating to your health and safety at work, including:

- any change which may substantially affect your health and safety at work, eg in procedures, equipment or ways of working;
- the employer's arrangements for getting competent people to help him/her satisfy health and safety laws;
- the information you have to be given on the likely risks and dangers arising from your work, measures to reduce or get rid of these risks and what you should do if you have to deal with a risk or danger
- the planning of health and safety; and
- the health and safety consequences of introducing new technology.

In general, your employer's duties include:

- making your workplace safe and without risks to health;
- ensuring plant and machinery are safe and that safe systems of work are set and followed;
- ensuring articles and substances are moved, stored and used safely;
- providing adequate welfare facilities;
- giving you the information, instruction, training and supervision necessary for your health and safety.

In particular, your employer must:

- assess the risks to your health and safety;
- make arrangements for implementing the health and safety measures identified as being necessary by the assessment;

- if there are five or more employees, record the significant findings of the risk assessment and the arrangements for health and safety measures;

Health and Safety Policy Requirements

- if there are five or more employees, **draw up a health and safety policy statement**, including the health and safety organisation and arrangements in force.
- **appoint someone competent** to assist with health and safety responsibilities, and consult you or your safety representative about this appointment;
- **co-operate on health and safety** with other employers sharing the same workplace;
- set up **emergency procedures**;
- **provide adequate first-aid facilities**;
- make sure that the **workplace** satisfies **health, safety and welfare** requirements, eg for ventilation, temperature, lighting, and sanitary, washing and rest facilities;
- make sure that **work equipment is suitable** for its intended use, so far as health and safety is concerned, and that it is **properly maintained and used**;
- **prevent or adequately control exposure** to substances which may damage your health;
- **take precautions** against danger from flammable or explosive hazards, **electrical equipment, noise and radiation**;
- **avoid hazardous manual handling operations**, and where they cannot be avoided, reduce the risk of injury;
- provide **health surveillance as appropriate**;
- **provide free any protective clothing or equipment**, where risks are not adequately controlled by other means;
- ensure that appropriate **safety signs are provided and maintained**;
- **report** certain **injuries, diseases and dangerous occurrences** to the appropriate health and safety enforcing authority

As an employee you have legal duties too. They include:

- **taking reasonable care** for your own health and safety and that of others who may be affected by what you do or do not do;
- **co-operating with your employer** on health and safety;
- **correctly using work items** provided by your employer, including personal protective equipment, in accordance with training or instructions; and
- **not interfering with or misusing anything provided for your health, safety or welfare.**

Concerns

If you think there is a health and safety problem in your workplace you should first discuss it with your employer, supervisor or manager. You may also wish to discuss it with your safety representative, if there is one. You, your employer or your safety representative can get information on health and safety in confidence by calling

HSE's Information line telephone service on 0845 345 0055.

If you think your employer is exposing you to risks or is not carrying out legal duties and you have pointed this out without getting a satisfactory answer, you can contact the enforcing authority for health and safety in your workplace.

Health and safety inspectors can give advice on how to comply with the law. They also have powers to enforce it.

HSE's Employment Medical Advisory Service can give advice on health at work.

Your employer can give you their names and addresses.

You can get advice on general fire precautions etc from the Fire Brigade or your fire officer.

Further Information can be found:-

Health and Safety Executive

This website offers a good range of free materials, browse publications for information on Risk Assessment, COSHH, RIDDOR, Manual Handling, Healthy and Safety at work etc.

www.hse.gov.uk

Information line. 0845 345 0055

Publications number 01787881165

Recommended publication HSE Successful Health and Safety management – ISBN 0-7176-1276-7

Fire Risk Assessments

Information leaflets and free downloads contact

www.communities.gov.uk/fire/firesafety/firesafetylaw

Browse – What we do – Fire and Resilience.

Tel 020 7944 4400

Royal Society for the Prevention of Accidents (RoSpa)

www.rospa.co.uk

Tel 0121 248 2000

Health and Safety and the Early Years Foundation Stage

Due to inspections carried out by OFSTED, and as part of fulfilling the Early Years Foundation Stage you will already be operating with a high degree of health and safety awareness.

The Welfare standards relating to health and safety are:-

- Organisation
- Safety
- Health

- Food and Drink
- Working in partnership with parents and carers

It is important to remember that these policies you have in your setting are also linked to Every Child Matters:-

- Being Healthy
- Protecting children from harm and neglect and keeping them safe.
- Achieve and enjoy
- Make a positive contribution
- Economic well being.

When implementing Health and Safety Regulations within your setting you should remember that the EYFS only relates to the children whereas the Health and Safety Act 1974 and subsequent acts relate to everyone at your setting. So when writing policies to implement Health and Safety Regulations you should take into consideration the below legislation:-

- Children Act 1989 & 2004
- United Nations Convention on the Rights of the Child 1989
- Data Protection Act 1998
- Every Child Matters 2004
- Freedom of Information Act 2000
- The Human rights Act 2000
- Health & Safety at Work Act 1974
- The Food Safety Act 1990
- The Food Safety (General Food Hygiene) Regulations 1995
- Public Health (Control of Diseases) Act 1984 & (Infectious Diseases) Act 1988
- Health Protection Agency 2004
- Manual Handling Operations Regulations 1992