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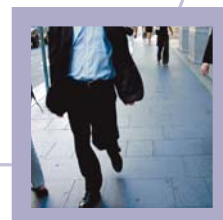
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Foreword

I am pleased to welcome you to this fourth edition of our Health and Safety at Work Handbook. This will provide you with information and practical advice on how to comply with the health and safety legislation that affects your business.

One of Braintree District Council's aims is to increase the safety of individuals and communities. Workplace safety is an important element of this overall objective, and for many years the Council has sought to work with businesses to achieve high standards of health and safety, with the infrequent need for enforcement action.

The handbook provides useful advice on health and safety management and the law. However, it is by no means exhaustive and details of further reading are included. If you have a particular problem, are thinking of starting a new business or changing your existing premises or practices, officers from the Health Protection Service will be pleased to provide you with advice.

Good health and safety practices do not just happen by chance. They need to be managed just like any other aspect of your business. We look forward to your continued co-operation in securing improvements in health and safety standards for everyone in workplaces across the Braintree District.

Lee Crabb
Chief Environmental Health Officer

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Introduction

Braintree District Council is committed to working with businesses to achieve healthy and safe workplaces for people who work in or visit businesses in the Braintree District.

The need for safety awareness in business cannot be over emphasised. Nationally about 300 people are killed in accidents at work each year and several hundred thousand are injured. Many of these injuries occur in small businesses. The cost of accidents is immense, both in personal terms (pain, suffering and loss of earnings) and the cost to business (staff absences, damage and increased insurance premiums).

This handbook has been produced to assist employers and the self employed to comply with the law, which places great emphasis on self-regulation of the workplace. It is intended to be a useful guide, with references providing additional information, to allow your company to review current health and safety arrangements and so help prevent avoidable accidents and ill health.

If you require further advice or assistance please contact us:

Health Protection
Environmental Health
Braintree District Council
Causeway House, Bocking End
Braintree, Essex CM7 9HB

Tel: 01376 551414 Fax: 01376 557767

Email: healthandsafety@braintree.gov.uk

Web: www.braintree.gov.uk

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Institute of Occupational Safety and Health www.safestartup.org



What are the aims of this booklet?

- ◆ To help new businesses understand their responsibilities and make it easier to comply with them.
- ◆ To tell owners, managers and businesses what safety laws exist.
- ◆ To provide advice to existing businesses.
- ◆ To reduce the potential for problems or accidents by making people more aware.
- ◆ To ensure that health, safety and welfare are seen as good management standards.
- ◆ To provide a checklist on the main points of each duty.
- ◆ To provide advice about where to get more information.

How to use the handbook

Not all the topics will apply to every business. Those that will apply to all businesses appear towards the beginning of the booklet. In general, these are covered in more detail than the more specialised topics that follow. Decide which topics are relevant to your business. Since the information can only be quite brief, you may need to refer to the legislation and specific guidance.

Where to get more help

Possible useful contacts and publications are listed in the For further information sections. Much of the HSE guidance that is quoted is very clear and gives helpful guidance on compliance. Some of the leaflets are free or can be downloaded from the website www.hse.gov.uk. See the Useful addresses section at the end of the booklet for details of the agencies that may be able to help you. In some cases we have produced additional useful handouts, which can be found on our web page. If you need free leaflets, copies of the assessments and checklists, or more help contact:

Health Protection
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Fax: 01376 557767
Email: healthandsafety@braintree.gov.uk
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Health and Safety Laws

The Health and Safety at Work etc. Act 1974 is the main law. It covers all work premises and everyone at work.

It says that you as an employer, or self employed person must look after yourself, everyone working for you and anyone who could be affected by what you do – including the public. There are other laws and regulations. Some of these are referred to in this booklet. You must find out which laws apply to you – you can ask your trade federation, chamber of commerce or your local health and safety inspector.

You have legal responsibilities for the safety of people in relation to the following: -

- ◆ Working procedures must be safe and healthy.
- ◆ The workplace must be safe, clean and healthy.
- ◆ Machines must be safe to use.
- ◆ Health risks must be properly controlled.
- ◆ Transport must be controlled, including fork lift trucks.
- ◆ Manual lifting/handling must be reduced as much as possible.
- ◆ Make sure people don't climb in the workplace and, if they have to, that they take the right safety precautions.
- ◆ If the workplace is noisy find out how noisy it is and if necessary do something about it.

- ◆ If you use computers make sure that you avoid the risks by having good equipment, a well designed workplace and careful design of jobs.
- ◆ Maintain electrical and gas appliances in a safe condition.
- ◆ Plan for things that might go wrong e.g. fires or accidents.

The remaining chapters in this book will give you simple guidance on what you need to do to protect people.

Further Reading

Essentials of Health and Safety at Work.
ISBN 0 7176 6179 2 (priced)

HS(G)65 Successful Health and Safety Management ISBN 0 7176 1276 7 (priced)

HSC 13 Health and Safety Regulations (free)

C1500 Health and Safety Law – What You Should Know

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C3750 Hindi (free) Translation

C3750 Punjabi (free) Translation

C3750 Urdu (free) Translation

C3750 Chinese (Mandarin) (free) Translation

Numerous leaflets are available (free) on the HSE website www.hse.gov.uk

Many are available in languages other than English www.hse.gov.uk/languages



Health and Safety Inspectors

Health and safety laws in Braintree District are enforced by an Inspector from Braintree District Council or the Health and Safety Executive. See 'Getting More Help' (at the back of this book) to find out which is your enforcing authority.

The enforcing authorities do more than just enforce the law. Much of their activities involve giving advice to people to help them meet the legal standards.

Inspectors do have a wide range of powers, which include right of entry to your premises, the right to talk to your employees and make investigations. They have the right to take photographs and make copies of documents. They also have the right to take away equipment for examination or as evidence.

Inspectors may visit your business without prior notice but you are entitled to see their identification before letting them in. The Inspector will treat you courteously and fairly. Normally their duties are carried out informally and with the co-operation of employers. If there is a serious problem, Inspectors may issue notices requiring you to make improvements within a fixed period of time. They may also issue notices to stop a process or the use of dangerous equipment if there is a risk of serious injury to people.

If you receive a notice you have the right to appeal to an Employment Tribunal.

Inspectors do have powers to prosecute a business or individual for breaking health and safety laws but this would normally only be considered as a last resort or where the offence is serious. They will take into account your attitude and safety record.

Fines for Health and Safety offences can be up to £20,000 per offence, on conviction in the magistrates court or unlimited in the crown court.

If you are not satisfied with the way you have been treated you can take the matter up with the Inspector or the Inspector's Manager, whose name is on all letters.

Further Reading

HSC14 What to expect when a Health and Safety Inspector calls (free)

Safety Documents

The following is a list of the common safety documents that will be required to be kept. If an Inspector visits you he/she may wish to see these documents.

You may need some or all of these documents depending on your business.

- ◆ Written Safety Policy: for employers with five or more employees.
- ◆ Risk Assessments: for employers with five or more employees (some employers may also require records of assessments for manual handling, display screen equipment, control of substances hazardous to health) these will need to be written.
- ◆ Accident records.
- ◆ Accident reporting forms (F2508).
- ◆ The poster "Health and Safety Law What You Should Know". Alternatively a leaflet of the same name may be given to each employee.
- ◆ Records of statutory examination of lifts, hoists, other lifting equipment, or pressure systems, (usually done by an insurance company).
- ◆ Employers' Liability Insurance Certificate: must be displayed by employers.
- ◆ Fire Certificate (if required).
- ◆ Staff training records.
- ◆ Record of location and condition of any Asbestos Containing Materials in the building.
- ◆ Electrical safety certificates for buildings hard wiring.



Safety Policy

If you have five or more employees you must have a written safety policy. A safety policy is a document, which helps to clarify who is responsible for what and what your safety procedures are.

Policies should contain the following and be reviewed from time to time:

- ◆ A statement of your commitment to health and safety – what you are going to do.
- ◆ Details of how you are organised and how the policy will be put into practice – who is going to do what?
- ◆ Details of the health and safety risks present in your workplace and what you are doing to prevent those risks causing harm.

- ◆ Policies must be signed and dated by the person ultimately responsible for health & safety within the company.

You may find that the policy is best linked with the risk assessment.

A skeleton policy statement and guidance on how to use it is available from HSE books. This is called “An Introduction to Health and Safety – Health and Safety in small businesses.”

Further Reading

Booklet INDG259 – An Introduction to Health and Safety – Health and Safety in small businesses (free).

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Risk Assessments

Most businesses have hazards, which may affect health and safety at work. Many small businesses find risk assessment difficult but you must make an assessment of the risks in your business regardless of its size.

The regulations require that you consider young people (those who are not yet 18 years old) and new and expectant mothers.

An assessment of risk is nothing more than a careful examination of what, in your work, could cause harm to people, so that you can weigh up whether or not you have taken enough precautions to prevent harm. The aim is to make sure that nobody is injured or becomes ill.

Many small businesses can do the assessment themselves particularly where there are few risks. For more complex activities you may have to get somebody to help do the assessment.

How to do an Assessment

The first step is to look for the hazards in your business. You may think that there are no hazards in your workplace but if you step back and think about what you do, or take a walk around the business, you may see a number of hazards.

A hazard means anything that can cause harm (e.g. chemicals, electricity, working on ladders etc.)

The next step is to think about what the risk is from the hazards you have seen, and who could be injured or made ill by the hazards.

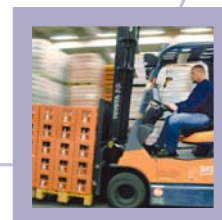
Risk is the chance, great or small, that someone will be harmed by a hazard.

Next, think about what you need to do to prevent people being harmed and decide whether or not you are doing enough. You can use the information in this booklet as a guide to the standards that you should be meeting, or use the booklets referred to at the end of each chapter. See also "Getting More Help" at the end of the booklet.

If you find something needs to be done to prevent harm you should give priority to the risks which are most serious. You should try to remove the hazard completely but if this is not possible you should find out how to control the risks so that harm is unlikely.

Telling People about the Assessment

You must tell your employees about the risks to their health and safety and the measures that you have devised to control the risks. They must also be trained and supervised in the use of any safety devices or personal protective equipment.



If you share your workplace tell the other employers or self-employed people of the harm your work could cause them.

Record the Findings

If you have fewer than five employees you do not need to write anything down but if you have five or more employees you must record the findings of the assessment.

There is an example of part of an assessment which you may find useful on the following page of this guide but, by all means, produce one in your own format if it suits you better.

The assessment record should be kept for future use. It can help you if an Inspector calls or if you become involved in an action for civil liability.

Reviewing the Assessment

Things will change with time and you will need to consider whether or not the changes create more risks. If there are substantial changes you should repeat the assessment for the changes and record the fact that you have done this.

Remember – the aim of assessment is not to carry out a complex analysis but to make decisions about what needs to be done to make things safe and healthy. Simple risks can usually be dealt with simply and quickly.

Further Reading & Information

INDG163 Five Steps to Risk Assessment (free)

Example risk assessments for several types of business can be found on our website www.braintree.gov.uk (search - risk assessment) and also at www.hse.gov.uk/risk/examples.htm

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RISK ASSESSMENT EXAMPLE

<p>Name: Bakewell Supplies Address: 22 Any Lane, Braintree Activity Assessed: Storage of goods in racks</p>		<p>Date of Assessment: 1st May 2008 Signed: K. Bakewell</p>	
<p>Hazard (Look for hazards that you could reasonably expect to cause harm - list the hazards in this column)</p> <p>Possible overload of racks. Possible overturning of racks. Individual boxes have to be manually handled. Possible falls from stepladders. Forklift traffic. Use of Stanley knives.</p>	<p>Who might be harmed? (Identify and list the groups of people who are at risk)</p> <p>1. Warehouse staff particularly order pickers.</p>	<p>Precautions Taken (Have you taken precautions against the risks from the hazards listed? List the precautions here.)</p> <p>Racks bolted to walls/floors. Racks checked for damage periodically. All goods packaged in small cartons, maximum weight 10 kg. Weight marked on all cartons. Palletised loads placed in racks by forklift. Forklift drivers all trained. Authorised drivers only allowed to drive forklift. Lift trucks maintained and tested. Wheeled safety ladders used.</p>	<p>Is further action needed? (What more could you reasonably do to control the risks? List what you need to do here.)</p> <p>Mark safe working loads on all racks (tick) done 10.05.08 KB. Train employees on correct lifting and splitting down loads to manageable sizes. Keep drivers under review. Provide safety footwear to all warehouse employees. Highlight obstructions and vulnerable equipment in warehouse. Review use of knives.</p>

Insurance

If you employ anyone you must have valid employer's liability insurance at the premises for a minimum of £5m and display the current certificate of insurance. Fines can be up to £2,500 for each day that you do not have insurance and £1,000 for failing to display or provide the certificate when asked. You are also advised to have public liability insurance to protect your business against civil action.

Poor safety standards can cost you money. Insurance policies do not cover all the costs of accidents. Costs not covered can include:

- ◆ Sick pay.
- ◆ Damage or loss of product and raw materials.
- ◆ Repairs to plant and equipment.
- ◆ Overtime working and temporary labour.
- ◆ Production delays.
- ◆ Investigation time.
- ◆ Fines.
- ◆ Absence from work if the courts impose custodial sentences on owners, employees or managers if the Council prosecutes them.

Safe Working Procedures

Having clear procedures helps to get things right and make sure work is done safely. The need for safe procedures can be identified when you do your risk assessment.

- ◆ Routine work including cleaning.
- ◆ Maintenance work.
- ◆ Emergencies such as fire or spillage's.

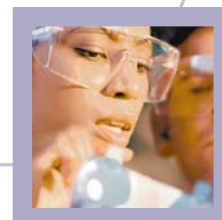
Think about: -

- ◆ Have safety procedures been worked out for the job?
- ◆ Are the equipment and tools right for the job?
- ◆ Do workers know about the safety procedures?
- ◆ Are the workers competent to carry them out?
- ◆ Do workers know what to do if something goes wrong?

If you can't answer yes to the five points above the job probably won't be done safely.

Employee's Responsibilities

- ◆ to co-operate with the employer's health and safety measures,
- ◆ to report to the employer any dangerous situation or problem that could affect themselves or others,
- ◆ to assess risks to health and safety, and
- ◆ to use equipment properly in accordance with instruction, information and training received.



Training and Information

A lack of training is often a significant factor in the cause of accidents. Employees must be given adequate information, instruction and training to enable them to carry out their work safely.

- ◆ Tell employees about the hazards and how to avoid them.
- ◆ Give specialist training in some jobs.
- ◆ Carry out refresher training when necessary.

It is useful to keep records of the training you have given.

The ability of people not only to do their jobs, but to do them to the required standards of safety, quality, efficiency etc. means that the need for training must be under constant review. Training must be provided on recruitment, on exposure to new or increased risks and be repeated periodically where appropriate. You should keep training records that detail what the training was, when and who gave the training.

Case Study – Injury at conveyor

An employee was injured when her finger became tangled in goods on a conveyor. The finger was broken in several places and a piece was torn off. She was unable to work for a long time afterwards.

Comment: There was an emergency stop button close by the employee which she could have operated to prevent the injury. She had started working at the company a few days before the accident but it appears that she had not been told about the emergency stop buttons.

Further Reading:

INDG345 Health and safety training – What you need to know (free)



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Accidents and Emergencies

As far as possible, accidents at work should be prevented. If you have the proper safety arrangements in place injuries should not happen. Doing a proper risk assessment will help you do this.

If injuries do happen you should have clear procedures for providing first aid, getting assistance, investigating and reporting the accident to the authorities where appropriate (see below)

Proper accident investigation can prevent similar injuries and should be carried out straight away.

Reporting Accidents

Certain accidents, illnesses or dangerous occurrences must be reported to your enforcing authority. See ('Getting More Help').

This should be done via the Incident Contact Centre (ICC).

This system allows you to report all cases to a single point, the ICC based at Caerphilly. The Centre means that you no longer need to be concerned about which office and which enforcing authority you should report to.

You can report incidents in a variety of ways, by telephone, fax, via the internet or by post, although by phone is preferred by the ICC.

By telephone: 0845 300 9923

By fax: 0845 300 9924

By e-mail: riddor@natbrit.com

Please send postal reports to the following address:

Incident Contact Centre
Caerphilly Business Park
Caerphilly
CF83 3GG

For Internet reports please go to:

Either www.riddor.gov.uk

Or www.hse.gov.uk

Case Study - Unreported accident

A warehousing company was fined £750 plus costs for failing to report an accident. The accident came to light nearly two years later when a solicitor pursuing a claim for the injured person asked one of our inspectors for a report on the accident.

Comment: All employers should be aware of the need to report certain accidents. Injured people often contact the enforcing authority when they are pursuing a civil claim for compensation and if the accident has not been reported legal action may be taken.

The following is a guide to when you need to report accidents and how to report them:

Death or major injury

If there is an accident connected with work and:

Your employee, a self-employed person working on your premises is killed or suffers a major injury (including as a



result of physical violence); or a member of the public is killed or taken to hospital;

- ☛ You must notify your enforcing authority without delay (e.g. telephone). They will ask for brief details about your business, the injured person and the accident; and
- 🏠 Within ten days you must follow this up with a completed accident report form (F2508). Definitions of major injuries are given later.

Over-three-day injury

- 🏠 If there is an accident connected with work (including an act of physical violence) and your employee, or a self-employed person working on your premises, suffers an over-three-day injury you must send a completed accident report form (F2508) to the enforcing authority within ten

days. An over-three-day injury is one which is not major but results in the injured person being away from work or unable to do their normal work for more than three days (including non work days).

Injuries to members of the Public

- ☛ You must notify the enforcing authority without delay if a member of the public is taken to hospital as a result of an injury from an accident at the work place.
- 🏠 Within ten days you must follow this up with form F2508.

Disease

- 🏠 If a doctor notifies you that your employee suffers from a reportable work-related disease then you must send a completed disease form (F2508A) to the enforcing authority. A summary of the reportable diseases is given later.

Dangerous Occurrence

- ☛ If something happens which does not result in a reportable injury, but which clearly could have done, then it may be a dangerous occurrence which must be reported immediately (e.g. by telephone). A summary of the reportable dangerous occurrences is given later.
- 🏠 Within ten days you must follow this up with a completed accident report form (F2508).

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Reportable Major Injuries are:

This list summarises the major injuries

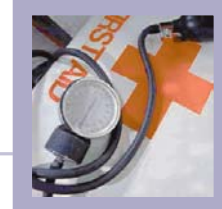
- ❖ fracture other than to fingers, thumbs or toes;
- ❖ amputation;
- ❖ dislocation of the shoulder, hip, knee or spine;
- ❖ loss of sight (temporary or permanent);
- ❖ chemical or hot metal burn to the eye or any penetrating injury to the eye;
- ❖ injury resulting from an electric shock or electrical burn leading to unconsciousness caused by asphyxia or exposure to harmful substance or biological agent;
- ❖ acute illness requiring medical treatment, or loss of consciousness arising from absorption of any substance by inhalation, ingestion or through the skin;
- ❖ acute illness requiring medical treatment where there is reason to believe that this resulted from exposure to a biological agent or its toxins or infected material.

Reportable Dangerous Occurrences are:

This list summarises each of the dangerous occurrences

- ❖ collapse, overturning or failure of load-bearing parts of lifts and lifting equipment;

- ❖ explosion, collapse or bursting or any closed vessel or associated pipe work;
- ❖ failure of any freight container in any of its load-bearing parts;
- ❖ plant or equipment coming into contact with overhead power lines;
- ❖ electrical short circuit or overload causing fire or explosion;
- ❖ any unintentional explosion, misfire, failure of demolition to cause the intended collapse, projection of material beyond a site boundary, injury caused by an explosion;
- ❖ accidental release of a biological agent likely to cause severe human illness;
- ❖ failure of, industrial radiography or irradiation equipment to de-energise or return to its safe position after the intended exposure period.
- ❖ Malfunction of breathing apparatus while in use or during testing immediately before use;
- ❖ Collapse or partial collapse of a scaffold over five metres high, or erected near water where there could be a risk of drowning after a fall;
- ❖ Unintended collision of a train with any vehicle;



- ☛ Dangerous occurrence at a well (other than a water well);
- ☛ Dangerous occurrence at a pipeline;
- ☛ Failure of any load-bearing fairground equipment, or derailment or unintended collision of cars or trains;
- ☛ A road tanker carrying a dangerous substance overturns, suffers serious damage, catches fire or the substance is released;
- ☛ Unintended collapse of: any building or structure under construction, alteration or demolition where over five tonnes of material falls;
- ☛ Explosion or fire causing suspension of normal work for over 24 hours;
- ☛ Sudden, uncontrolled release in a building of: 100 kg or more flammable liquid; 10 kg of flammable liquid above its boiling point; 10 kg or more of flammable gas; or of 500 kg of these substances if the release is in the open air;
- ☛ Accidental release of any substance which may damage health.

Reportable diseases include:

- ☛ certain poisonings;
- ☛ some skin diseases such as occupational dermatitis, skin cancer, chrome ulcer, oil folliculitis/acne;
- ☛ lung diseases including: occupational asthma, farmer's lung, pneumoconiosis, asbestosis, mesothelioma;
- ☛ infections such as: leptospirosis, hepatitis; tuberculosis; anthrax; legionellosis and tetanus;
- ☛ other conditions such as: occupational cancer; certain musculoskeletal disorders, decompression illness and hand-arm vibration syndrome.
- ☛ The full list of reportable diseases can be found in the detailed guide to the regulations and in the pad of report forms.

First Aid

All businesses have to make arrangements for first aid treatment. You must have:

- ◆ Someone to take charge in an emergency.
- ◆ A first aid box.
- ◆ Notices telling people where the box is and who the appointed person is.

- ◆ A trained first aider and first aid room if your business is particularly hazardous.

Remember: Qualified first aiders must be trained by an organisation registered with the Employment Medical Advisory Service. See 'Getting More Help' for contact points.

Case Study

An employee in the butchery department of a supermarket had to be taken to hospital for treatment as a result of blood loss because there were no first aid materials or trained first aider to deal with a knife wound.

Comment: First aid provision should match the risks in the business. This accident would have been less serious if first aid had been given promptly.

Further reading:

MISC769 *Incident at Work?*

L73 *Guide to RIDDOR 1995 (priced)*

INDG214 *First aid at work – your questions answered (free)*

INDG347 *Basic advice on first aid at work (free)*

HS(G)245 *Investigating accidents and incidents (priced)*

INDG355 *Reduce risks- cut costs (free)*

View or download F2508 on www.hse.gov.uk

Accident book B1510 HSE Books – ISBN 0-7176-2603-2

Accident books

It is a requirement under social security legislation (Social Security (Claims and Payments) Regulations 1979) for businesses with ten or more employees to record all accidents in an accident book. The HSE has produced a new Accident Book, BI 510, which complies with the Data Protection Act 1988.

Accident books must be readily accessible to employees. To allow this, whilst ensuring that personal information remains confidential, businesses must use the new - style reporting pad with tear off sheets, which can be removed and stored securely. It is good practice for smaller businesses to have a similar accident reporting system. (Note that RIDDOR applies to ALL businesses, irrespective of size.)



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The Workplace

Number of people at Work	Number of water closets	Number of wash basins
1 to 5	1	1
6 to 25	2	2
26 to 50	3	3
51 to 75	4	4
76 to 100	5	5

The following standards apply when you have employees.

Toilets and washing facilities

Provide enough toilets and wash basins for staff. Keep the facilities clean, well lit, ventilated and in good working order. Provide enough hot and cold (or warm) running water, soap and towels (or electric dryers) at the wash basins. The minimum numbers of facilities are shown in the table.

Drinking Water

Provide a clearly marked supply of drinking water. The supply must be accessible to employees and should not be in sanitary accommodation, so far as is practicable.

Temperature of Workrooms

The temperature of workrooms should be comfortable. Keep the temperature up to a minimum of 16°C where people sit at their work. Where work involves physical effort the temperature can be lower at 13°C but no lower.

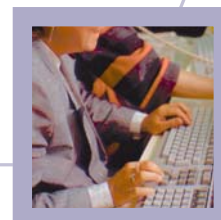
In summer you should ensure that the workplace does not become excessively hot. A thermometer must be provided to enable the temperature to be checked by employees.

Ventilation

Provide adequate ventilation to all areas where people work. Fresh air should come from a location which is not contaminated with fumes or dust.

Lighting

Make sure that there is enough natural or artificial light to make your workplace and work activities safe. Avoid lights which are too bright or cause glare and make sure lights are in suitable positions. (Consider how you access lights to change bulbs).





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Room Size and Space

Workrooms must have enough space to enable people to move about and do their work in comfort. As a minimum each person must have 11 cubic metres of space in the workroom (for a normal height room this is approximately 4 square metres of floor space).

Workstations

Provide enough space and a suitable layout to workstations to enable work to be performed safely. Where work can be done seated, provide a suitable seat and, if necessary a footrest.

Clothing

Provide lockers or hanging places to enable workers' own clothes to be stored and where necessary, dried.

Floors and gangways

Slips and trips are very common types of accident within all workplaces. Risk assessments should be carried out to identify and control all slip and trip hazards. Hazard checklists are available to assist in identifying the sorts of things that can go wrong.

Stairs

Keep stairs clear and in good repair. Make sure that staircases have a suitable balustrade and a handrail. Staircases which are wide, or heavily used may need more than one handrail.

Further reading:

INDG244 Workplace Safety Welfare Regulations (free)

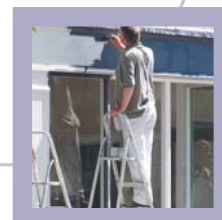
L 24 Workplace Health Safety and Welfare Regulations 1992 (Priced)

INDG293 Welfare at Work (free)

INDG173 Officewise (free)

INDG225 Preventing slips and trips at work (free)

INDG212 Workplace Health and Safety: Glazing



Work at height

All work at height must be properly planned and organised and undertaken by competent persons. The following hierarchy should be applied to all work at height:

- ◆ Avoid work at height where possible
- ◆ Where work at height cannot be avoided, use work equipment or other measures to prevent falls;
- ◆ Where they cannot eliminate the risk of a fall, use equipment or other measures to minimise the distance and consequences of a fall should one occur.

Window Cleaning

Windows usually need cleaning periodically and cleaners will need safe access to windows. Where your windows cannot be cleaned from the ground you should make sure that one or more of the following is done:

- ◆ Make sure windows can be cleaned from inside e.g. pivot windows.
- ◆ Provide access and a firm level surface for ladders or other mobile access equipment.
- ◆ Where ladders over 6 metres long are needed provide points for tying or fixing the ladder.
- ◆ Provide suitable anchorage points for safety harnesses.

- ◆ If you have a high building, take specialist advice.

Remember you have responsibilities towards contractors working on your site (including window cleaners) and must ensure that they are working in a safe manner.

Falls or Falling Objects

Secure fences must be provided where there is a risk of falling a distance liable to cause personal injury. The fencing should have at least two guard-rails and an up-stand or toe-board to prevent objects falling from the edge.

Any openings in fences or floors should be covered. The covers should only be removed for access and be replaced as soon as possible afterwards.

Case Study – work at height

A driver fell a distance of 3 metres (10 feet) onto a concrete floor in his employer's warehouse. He fell through a loading point on a mezzanine storage area breaking both ankles. He was off work for more than 2 years.

Comment: The employee was employed as a casual driver and had only worked in the warehouse on one occasion previously. He had not been told until after his injury that there was a safety barrier which should have been put in place across the opening.

Further reading:

INDG401 The Work at Height Regulations 2005 – A brief guide (free)

INDG402 Safe use of ladders and step ladders- An employers' guide (free)

MISC611 Safety in window cleaning using suspended and powered access equipment

MISC612 Safety in window cleaning using rope access techniques

MISC613 Safety in window cleaning using portable ladders

MISC614 Preventing falls from boom-type elevated work platforms



Workplace Transport

Transport in the workplace causes many serious accidents every year. A wide range of transport is common to many businesses including cars, vans, heavy goods vehicles and forklift trucks.

The following indicates what you need to do.

- ◆ Use risk assessment as a basis for identifying and assessing the risk systematically. Try identifying the hazards associated with vehicle activities in your workplace and assess whether existing precautions are adequate. The assessment should look at site safety, vehicle safety and driver safety.
 - ◆ Safe site – Check that the layout of routes caters for the safety of pedestrians. Try to keep the public away. Check that suitable safety features are included e.g. signs, markings, speed limits.
 - ◆ Safe vehicle – Check that vehicles are kept in good working condition and regularly inspected.
 - ◆ Safe driver – Check that drivers are properly trained and actually drive safely.
 - ◆ Keep the need for reversing to a minimum and when it is done that it is safe.
- 32 ◆ Check that loading and unloading operations are carried out safely.

- ◆ Ensure staff can access vehicle safety

Case Study – Workplace Transport

A warehouse worker was injured when she went outside the warehouse for a smoke. A forklift truck which was working outside reversed into her causing a compound fracture of the leg.

Comment: The Workplace Regulations recognise that pedestrians and vehicles are a potentially hazardous mixture. Segregation or safe systems of work could have prevented this accident.

Further reading:

INDG199 Managing vehicle safety at the workplace (free)

INDG382 Driving at work – Managing work related road safety (free)

INDG148 Reversing by vehicles (free)

HS(G)136 Workplace transport safety (priced)

INDG185 Tractor Action – A step by step guide to using tractors safely (free)

IND412 Warehousing and Storage

INDG379 Health and Safety in road haulage

Slips, trips and falls

According to HSE statistics, pedestrian slips and trips are the most common cause of injury in U.K. workplaces. Each year over 8500 major injuries are caused by slipping and tripping, of which 95% are broken bones. This amounts to over one third (37% actually) of all **major** injuries in the workplace. In addition, slips and trips are often responsible for machinery accidents, scaldings, falls from height etc. Paying more attention to the general working environment could prevent many slips and trips.

This is a current **priority topic of health and safety** and every employer should:

- ◆ carry out a slip and trip risk assessment
- ◆ design workplace to reduce hazards - e.g. avoid slopes, changes of level etc
- ◆ consider condition and slip resistance of floor coverings and stairs
- ◆ highlight unavoidable hazards such as step edges, slopes etc
- ◆ plan work activities to minimise spillages of liquids, powders and objects
- ◆ clean up spillages and dry area thoroughly and quickly and/or restrict access
- ◆ make sure general cleaning methods are suitable and effective

- ◆ keep working areas tidy and walkways clear
- ◆ consider need for sensible or safety footwear
- ◆ consider effect of weather, temperature, lighting levels etc
- ◆ encourage people to take care – avoid rushing, pick up objects etc
- ◆ consider vulnerable groups – children, elderly etc.

For further information:

Workplace health safety and welfare - Approved code of practice HSE:L24 (ISBN 0-11-886333-9)

*HSE Website: www.hse.gov.uk/slips
Preventing Slips and trips at work, INDG225 (rev 1)*



Work Equipment

There are many hazards associated with work equipment which can cause serious injuries. Even if the dangers are so obvious that you think nobody will take risks near work equipment you are mistaken. You cannot rely on employees to avoid dangerous parts.

The following points will help you ensure that work equipment is used safely.

- ◆ Make sure all dangerous parts are guarded.
- ◆ Provide instruction and training for all operators. Don't allow untrained people to use machines.
- ◆ Make sure controls are properly marked and that emergency stops are brightly coloured and easily reached.
- ◆ Keep work equipment in good working order. Some work equipment (such as lifting equipment and air receivers) must be inspected regularly by a

competent person – usually an insurance company engineer.

- ◆ Check tools to see if staff are being exposed to violations that could cause injury.

Further reading:

- L22 Safe use of work equipment (priced)*
- L113 Safe use of lifting equipment (priced)*
- INDG339 Thorough examination and testing of Lifts (free)*
- INDG291 Simple guide to the Provision and Use of Work Equipment Regulations 1998 (free)*
- INDG317 Chainsaws at work (free)*
- INDG261 Pressure systems safety and you (free)*
- INDG229 Using Work Equipment Safely (free)*
- INDG290 Simple guide to LOLER (free)*
- INDG296(rev1) Hand-arm vibration*
- INDG175(rev2) Control the risks from hand-arm vibration*
- L140 Hand-arm vibration – The Control of Vibration at Work Regulations 2005*

Gas



There is a danger of fire and explosion from gas or production of toxic fumes if appliances are not working properly.

If you suspect an appliance is faulty:

- ◆ Don't turn electric switches on or off
- ◆ Don't smoke or use naked flames
- ◆ Do open doors and windows to get rid of the gas

Gas Appliances

Gas appliances must be properly fitted and maintained to make sure that they are safe. You must:

- ◆ Use a competent fitter to install or maintain gas equipment. Any business which works on gas fittings must be registered with CORGI. It is important to check this.

- ◆ Check that the room has adequate ventilation.
- ◆ Get your appliances regularly serviced by a competent gas fitter.
- ◆ Make sure your employees know what to do if they smell gas.

Further reading:

INDG308 The safe use of gas cylinders
INDG238 Gas Appliances – Get them checked. Keep them safe (free)

Further information:

Corgi – tel: 01256 372800
HSE gas safety advice line,
tel: 0800 300 363



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Electricity

Electric shock, burns, fires and explosions can all be caused by poor electrical standards. Simple common sense precautions can help to reduce the risks in most businesses but if you use electrical equipment outdoors or in flammable, wet or harsh conditions you will need to get specialist advice.

The main points for general safety are covered below.

- ◆ Make sure that all electrical wiring and equipment is sound and maintained in a safe condition. Portable Appliance Testing (PAT) is a good way of ensuring portable electrical equipment is safe. All workplaces should have a current mains wiring certificate.
- ◆ Check that cables and sockets can cope with the loads on them.
- ◆ Avoid the use of extension leads.

- ◆ Take suspect or faulty equipment out of use and label it "DO NOT USE" until it is attended to.
- ◆ Ensure only competent persons work with electricity.
- ◆ Do not carry out any work on systems that are "live".

Case Study – electric shock

An employee in a kitchen received an electric shock from an appliance which had a damaged cable. The employee was off work for over a week.

Comments: The cable to the appliance was found to be damaged in a number of areas. The damage had occurred when the cable had been repeatedly trapped in a door. It appeared that the damage had taken place over a long period of time without being attended to. The employer was prosecuted.

Further reading:

INDG231 Electrical safety and you (free)

INDG236 Maintaining portable electrical equipment in offices and other low risk environments (free)

INDG237 Maintaining portable electrical equipment in hotels and tourist accommodation (free)

INDG139 Electric Storage Batteries



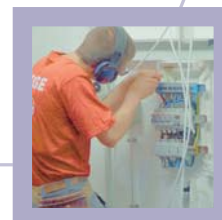
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5



Lifting and Handling

The incorrect handling of loads causes large numbers of injuries and time off work. The chance of injury is increased where handling loads is prolonged, repetitive or combined with awkward movements.

You must:

- ◆ Avoid manual handling if a safer way is practical.
- ◆ If you can't avoid it, assess the risk of injury to employees and;
- ◆ Take steps to reduce this risk.

Some practical ways of reducing the chance of injury are:-

- ◆ Provide mechanical assistance.
- ◆ Make loads lighter/smaller/easier to grasp.
- ◆ Alter the layout of the workplace to allow loads to be moved about easier.
- ◆ Train people in safe lifting techniques and ensure that lifting operations are planned.
- ◆ As a final measure think about protective equipment for hands and feet.

Don't forget; moving materials mechanically is safer but there can still be hazards from equipment such as lift trucks and conveyors.

Case Study – Making loads lighter

In order to reduce the risk of injury from handling sacks of flour and sugar, many bakeries have switched to sacks that contain half the previous amount of product.

Further reading:

- INDG143 Getting to Grips with Manual Handling (free)*
- L23 Manual Handling. Guidance on Regulations (priced)*
- INDG398 Are you making the best use of lifting and handling aids? (free)*
- INDG318 Manual handling solutions in woodworking (free)*
- INDG383 Manual Handling Assessment Charts (MAC) (free)*

Working with Display Screen Equipment (inc. VDUs)

Display Screen Equipment (DSE) is found in many businesses. A small proportion of people who work with these do suffer ill health but this is commonly caused by the way the equipment is used.

The problems can be avoided by proper use of the equipment. You should:

- ◆ Assess the risks to employees, identifying people at risk and what needs to be done to protect them.
- ◆ Make sure workstations meet basic health and safety requirements with suitable display screen, keyboard, desk and chair.
- ◆ Make sure the working environment is satisfactory with adequate space, suitable lighting, temperature and humidity.
- ◆ Design the job to reduce stress and repetition.
- ◆ Provide suitable breaks from DSE work (not necessarily rest periods but different work e.g. filing, photocopying, telephone calls etc).
- ◆ Provide eye and eyesight tests free of charge for “users”.
- ◆ Provide health and safety training on DSE work for “users”.

NOTE: Users are employees who regularly use DSE as part of their normal work.

Further reading:

INDG36 Working with VDUs (free)

L26 Display Screen Equipment Work (priced)

HS(G)90 VDUs – an easy guide (priced)



Hazardous Substances

Many substances can hurt you or your employees if they get onto or into the body. More people suffer from work related ill health each year than from injuries caused by accidents. Work related dermatitis is one of the major occupational skin diseases and is caused by a person coming into contact with a hazardous agent(s). Occupational asthma can occur in some people when exposed to certain substances. Many small businesses have few hazardous substances so the dangers can be identified easily and dealt with. Look at the substances that are used in your business or are generated by the work you do. If they are likely to cause ill health (you can usually find this out from the label) you need to make an assessment. This is what is known as COSHH (Control of Substances Hazardous to Health) assessment:

- ◆ If substances are hazardous, get the safety data sheets from your suppliers (they must provide them).
- ◆ Look at how you use the substances (find out what actually happens, not what you think might happen). Compare this with what the data sheets or labels say and decide what you need to do.
- ◆ Stop using the substance if possible or use one that is less harmful.
- ◆ If you have to continue using it then make sure the necessary precautions are taken such as

enclosing the process, or by providing extra ventilation.

- ◆ Provide personal protective equipment (**see Protective Clothing and Equipment**)
- ◆ Train your employees in the right precautions. Make sure they use them.
- ◆ Write down what you have done unless it is simple and easily explained.

Case Study – Ill health from flour dust

A self employed bakery worker developed occupational asthma after 20 years in the trade. The worker was unable to continue working in the bakery without wearing a dust mask.

Comment: It has been recognised for some time that breathing in flour dust can cause asthma. Exposure can be reduced by reducing dust levels and proper ventilation. Dust masks should be used only as a last resort.

Further reading:

INDG350 The idiots guide to CHIP (free)
HS(G)97 A step by step guide to COSHH assessments (priced)
HS(G)193 COSHH Essentials (priced)
L5 Control of substances hazardous to health - Approved code of practice and guidance (priced)
INDG233 Preventing dermatitis at work (free)
INDG136 COSHH, a brief guide to the regulations (free)

Asbestos

Your building may contain asbestos. It is likely to be present if your building:

- ◆ Was constructed or refurbished between 1950-1980 and particularly if it has a steel frame.
- ◆ Has boilers with insulation.

If asbestos is in good condition it is probably safest to leave it in position.

If the asbestos is in poor condition or is likely to be damaged or disturbed you will need to decide whether it should be repaired, sealed, enclosed or removed.

If you are unaware what to do, seek specialist advice.

Remember, work on asbestos insulation and lagging, including sealing and removal, must normally be done only by a contractor licensed by HSE. If in doubt don't disturb it.

The Control of Asbestos at Work Regulations 2002 imposed a duty on the persons in charge of buildings to proactively manage the risk from asbestos in non-domestic premises.

The duty requires you to manage the risk by:

- ◆ Finding out if there is asbestos in the premises, its amount and the condition it is in
- ◆ Presuming materials contain asbestos, unless you have strong evidence that they do not

- ◆ Making and keeping up to date a record of the location and condition of asbestos containing materials (ACMs) or presumed ACMs in your premises
- ◆ Assessing the risk from the material
- ◆ Preparing a plan that sets out in detail how you are going to manage the risk from this material
- ◆ Taking the steps needed to put your plan into action
- ◆ Reviewing and monitoring your plan and the arrangements made to put it in place
- ◆ Providing information on the location and condition of the material to anyone who is liable to work on or disturb it (including any contractors).

Asbestos legislation was further consolidated in The Control of Asbestos at Work Regulations 2006.

Disposal of Asbestos

Asbestos waste is subject to waste management controls set out in the special Waste Regulations 1996. Further advice can be sought from the Environment Agency, Waste Regulation Unit (01376 572091).



Case Study – Asbestos

Contractors working in a pub cellar disturbed asbestos lagging which contaminated the whole of the cellar and equipment. Because there were gaps in the floorboards of the bar above, asbestos fibres also blew into the bar area. The pub was closed for several weeks for expensive decontamination work.

Comments: This serious and costly problem could have been prevented if the contractors had been told that asbestos was present. Owners or occupiers of buildings must find out where asbestos is and take steps to make sure it does not become a problem.

Further reading/information:

INDG223 *Managing Asbestos in premises (free)*

INDG 89 *Working with Asbestos in Buildings (free)*

HS(G)227 *A comprehensive guide to managing asbestos in premises (priced)*

HS(G)210 *Asbestos Essentials – task manual (priced)*

L127 *The Management of asbestos in non-domestic premises – Approved Code of Practice and Guidance (priced)*

www.hse.gov.uk/asbestos

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Legionnaire's Disease

Legionnaire's disease is a potentially fatal form of pneumonia caused by legionella bacteria. Anybody can catch this disease but males who are over 45 and smokers or heavy drinkers, those suffering from chronic respiratory or kidney disease and those with impaired immune systems are particularly susceptible.

Infection cannot be passed from person to person but is caused by breathing in small droplets of water contaminated by the bacteria. These bacteria can be found within cooling towers, evaporative condensers, spa baths, showers and hot and cold water systems. The bacteria thrive in water systems at temperatures between 20°C and 45°C, especially where rust, sludge, algae and scale are present. These systems require risk assessment to establish the degree of controls that are required, this will range from a small hot water system with high temperature and turnover where no further action maybe necessary to a large wooden cooling tower that may need a complete water treatment and monitoring programme to control risk.

Guidance on Compliance

- ◆ Identify and assess sources of risk.
 - ◆ Prepare a scheme (or course of action) for preventing or controlling the risk.
 - ◆ Implement and manage the scheme.
- ◆ Appoint a person to be managerially responsible.
 - ◆ Keep records and check that what has been done is effective.
 - ◆ If an employee becomes ill with legionnaires disease after working on a potentially contaminated water system then this must be reported under RIDDOR. (see section on Accidents and Emergencies)

The Notification of Cooling Towers and Evaporative Condensers Regulations 1992

If you have a cooling tower or evaporative condenser on site you must notify the local authority in writing with details of where it is located. You must also tell them if such equipment is no longer in use. Notification forms are available from Environmental Health Service, Braintree District Council.

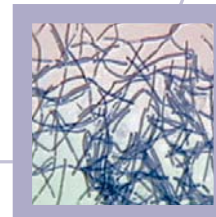
Further Reading:

L8 Legionnaire's disease: The control of legionella bacteria in water systems

LAC27(rev 2) Legionnaires disease: a guide for employers

INDG376 Legionnaire's disease: essential information for providers of residential accommodation

INDG253 Controlling Legionella in Nursing and Residential Care Homes



Protective Clothing and Equipment

It is far better, and a legal requirement, to eliminate the risk rather than to rely on workers using protective clothing. If protective equipment is still needed it must be provided FREE by the employer. You must:

- ◆ Provide the right equipment. Check with your supplier, they can advise you.
- ◆ Choose equipment which fits the wearer. If you let users help choose it they are more likely to use it.
- ◆ Make sure people look after it and store it properly when not in use.

- ◆ Instruct and train people in its use. Tell them what it will protect them from and what it won't!
- ◆ Check regularly that it is worn and if not find out why. Use safety signs to remind people.

Further reading:

INDG174 A short guide to Personal Protective Equipment at Work Regs. 1992 (free)

L25 Personal Protective Equipment at Work Regulations 1992 (priced)

Construction (Design and Management) Regulations 1994– CDM

These Regulations apply to nearly all construction work undertaken in the UK. They put in place procedures for improving the planning and health and safety management of construction projects of all types, throughout every phase and involving all parties (client, designer, contractor and subcontractor) in the management of hazard and risk. New simplified regulations came into force in April 2007 which revise and brought together CDM 1994 and the Construction (Health, Safety and Welfare) (CHSW) Regulations 1996 into a single regulatory package. They

are supported by an Approved Code of Practice and industry approved guidance and aim to re-emphasize the benefits of a well managed and coordinated approach to the management of health and safety in construction.

Further Reading:

L144 Managing Health & Safety in construction. CDM Regulations 2007 & ACOP (priced)

INDG411 Want construction work done safely?

www.hse.gov.uk/construction/cdm

Noise at Work

If your workplace is particularly noisy then the Control of Noise at Work Regulations 2005 may apply. These require employers to carry out noise assessments, to reduce exposure, to provide information and training for employees and to issue personal hearing protection.

NB: In the music and entertainment industry these Regulations come into force on 6th April 2008

Further reading:

INDG362 Noise at work – A guide for employers (free)

L108 Reducing noise at work – guidance on the Regulations (priced)

www.hse.gov.uk/noise

Violence at Work

Violence towards employees can be a significant problem in many businesses, e.g. retail outlets, betting shops, nightclubs etc. Violence should be considered as a workplace hazard as part of your risk assessments.

Further reading:

INDG69 Violence at Work – A guide for employers

HS(G)133 Preventing violence to retail staff

www.hse.gov.uk/violence

Work related Stress

13.5 million working days are lost each year due to work related stress. Employers have a legal duty to take reasonable care to ensure that the health of their employees is not put at risk through excessive and sustained levels of stress arising from their work. Stress should be considered as a workplace hazard as part of your risk assessments. Those responsible for tackling work-related stress in your organisation should be aware of the HSE's Management standards for work-related stress. Visit www.hse.gov.uk/stress/standards

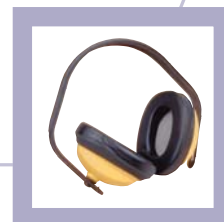
Further reading:

INDG281 Work related stress – A short guide

INDG41 Tackling work-related stress – A guide for employers

HS(G)218 Tackling work-related stress: A manager's guide to improving and maintaining employee health and well-being

www.hse.gov.uk/stress



Smokefree

You have a legal responsibility to ensure that your premises and work vehicles remain smoke free. You must display all the required no-smoking signs, make sure that your staff, customers and visitors know that your

premises and work vehicles are smokefree and ensure that you do not have an indoor smoking room. More information on smokefree legislation can be found at www.smokefreengland.co.uk.

Working hours

The Working Time Regulations 1998 introduced maximum working hours. They apply to all workers, except the self-employed and those working in transport sectors. Part-timers are included and young workers (under 18) have extra rights.

The regulations set fair, minimum standards for workers, while allowing flexibility for workers and employers to make arrangements that suit them.

Main requirements:

- ◆ A worker should not work more than an average of 48 hours a week, unless there is a written agreement with the employer.
- ◆ Employees can agree to 'opt out' of the regulations or to end an 'opt-out agreement'.
- ◆ A night worker should not work more than an average 8 hour shift.
- ◆ Night workers are entitled to free health assessments.
- ◆ Adult workers have the right to a rest period of 11 consecutive

hours between each working day and a day off each week.*

- ◆ Young workers have the right to 12 hours rest in each 24 hour period and two days off each week.*
- ◆ Adult workers have a right to a 20 minute rest break (but not necessarily paid) if working longer than 6 hours and young workers to 30 minutes if working over four and a half hours.*
- ◆ Extra breaks are needed where the work is monotonous or strenuous.*
- ◆ Workers are entitled to 4 weeks paid leave.*

* Weekly and daily rest, rest breaks and paid annual leave are enforced through the Employment Tribunals.

For further information:

Free booklets are available from the DTI
Info line ☎ 0845 6000 925

Employment Tribunal Service Enquiry line
☎ 0345 959775

Young people at work

Young workers are seen as being particularly at risk because of their possible lack of awareness of existing or potential risks, immaturity and inexperience. Children under 13 years old are generally not allowed to work. Those aged between 13 and 16 years old are not allowed to work in some industrial businesses.

Children on work experience are considered as employees for the purposes of health and safety, with age restrictions prohibiting them from using particular machinery or carrying out certain tasks.

Employers must:

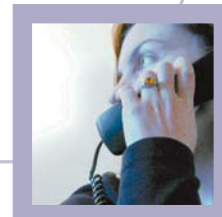
- ◆ Assess hazards and risks to young people under 18 before they start work.
- ◆ Take into account their possible lack of awareness of existing or potential risks, immaturity and inexperience.
- ◆ Address specific factors in the risk assessment.
- ◆ Provide information to the young person and their parents about the hazards, risks and control measures introduced.
- ◆ Take account of the risk assessment in determining whether the young person should be prohibited from certain work activities.

- ◆ Reduce risk as far as reasonably practicable.
- ◆ Provide necessary instruction, training and supervision.

Anyone employing a young person must also ensure that the child is registered with Child Employment and Child Performance Licensing, Essex County Council, Education Welfare Service, PO Box 47, Chelmsford, Essex CM2 6WN. Telephone 01245 436743/5

Checklist

- ◆ Have you assessed the risks to young people?
- ◆ Have you reduced the risks as far as possible?
- ◆ Have you provided information, training and supervision?
- ◆ Have you registered with the Education Welfare Officer?



Pregnant women and nursing mothers at work

There is a duty for Employers to consider the health of pregnant workers and the unborn child. This duty also extends after the birth to include workers who have recently given birth or are breast feeding.

Employers must consider any working conditions along with any physical, chemical, or biological agents which may effect the pregnant worker or unborn child.

If you employ women of child bearing age you must;

- ◆ Identify the Risks that pregnant women or nursing mothers may be exposed to.
- ◆ Identify preventative or protective measures to remove the risk.

As soon as employers are made aware that a member of staff is pregnant or a nursing mother they must take the following action;

- ◆ Where risks cannot be removed consider altering the employees working hours, offer alternative work or in the case of significant risks suspend from work on full pay.

Checklist

- ◆ If you employ women of child bearing age you must consider the risks to the health and safety of the mother and her unborn child.
- ◆ Have you decided on measures to prevent or remove the risk?
- ◆ Once you have proof of impending child birth you must ensure the risks are prevented or removed. Where this is not possible consider alternative arrangements.

Fire Safety

REGULATORY REFORM (FIRE SAFETY) ORDER 2005

This Order came into force in October 2006, under the Regulatory Reform Act 2001. The order replaced most previous Fire Safety legislation with one simple order.

What the order means, is that any person who has some level of control in premises must take reasonable steps to reduce the risk from fire and make sure people can safely escape if there is a fire. The order applies to virtually all premises and covers nearly every type of building, structure and open space.

Examples:

- ◆ Offices and shops.
- ◆ Premises that provide care, including care homes and hospitals.
- ◆ Community halls, places of worship and other community premises.
- ◆ The shared areas of properties several households live in (housing laws may apply).
- ◆ Pubs, clubs and restaurants.
- ◆ Schools and sports centres.
- ◆ Tents and marquees.
- ◆ Hotels and hostels.
- ◆ Factories and warehouses.

It does not apply to:-

- ◆ People's private homes, including individual flats in a block or house.

What the main rules under the order say you must do:

- ◆ Carry out a fire-risk assessment identifying any possible dangers and risks.
- ◆ Consider who may be especially at risk.
- ◆ Get rid of or reduce the risk from fire as far as is reasonably possible and provide general fire precautions to deal with any possible risk left.
- ◆ Take other measures to make sure there is protection if flammable or explosive materials are used or stored.
- ◆ Create a plan to deal with any emergency and, in most cases, keep a record of your findings.
- ◆ Review your findings when necessary.



Who is responsible for meeting the order?

Under the order, anyone who has control of premises or anyone who has a degree of control over certain areas or systems may be a 'responsible person'. For example, it could be:-

- ◆ The employer for those parts of premises staff may go to.
- ◆ The managing agent or owner for shared parts of premises or shared fire safety equipment such as fire-warning systems or sprinklers.
- ◆ The occupier, such as self-employed people or voluntary organisations if they have any control, or
- ◆ Any other person who has some control over a part of the premises.

Although in many premises the responsible person will be obvious, there may be times when a number of people have some responsibility.

How do I meet the order?

If you are the responsible person, you must make sure you carry out a fire-risk assessment although you can pass this task to some other competent person. However, you will still be responsible, in law, for meeting the order. The responsible person, either on their own or with any other responsible person, must as far as is reasonably practical make sure that everyone on the premises, or nearby, can escape safely if there is a fire.

Five steps to Fire Risk Assessment:

1. Identify fire hazards. Identify:

Sources of ignition;
Sources of fuel; and
Sources of oxygen.

2. Identify people at risk. Identify:

People in and around the premises; and
People who are especially at risk.

3. Evaluate, remove or reduce, and protect from risk

Evaluate the risk of a fire starting.
Evaluate the risk to people from a fire.
Remove or reduce fire hazards.
Remove or reduce the risks to people from a fire.
Protect people by providing fire precautions.

4. **Record, plan, inform, instruct and train**

Record any major findings and action you have taken.

Discuss and work with other responsible people.

Prepare an emergency plan.

Inform and instruct relevant people.

Provide training.

5. **Review**

Review your fire-risk assessment regularly.

Make changes where necessary.

Further information:

If you need more practical advice and information after you have carried out your fire-risk assessment, contact your local Fire Station or:

Braintree Fire Station
Railway Street, Braintree
Tel: 01376 345537

You can obtain guides, suitable for your type of premises from good book shops and by downloading them from the internet at www.firesafetyguides.communities.gov.uk



Waste Storage & Disposal

Under Section 34 of the Environmental Protection Act 1990, you have a 'Duty of Care' for your waste disposal in that you must take all reasonable steps to prevent waste from escaping from your control or that of any other person. This applies to all commercial waste producers (no matter how small) in the following ways:-

1. You must keep your waste in a secure container on your premises. If you put loose waste in a skip, it must be covered to prevent its escape.
2. If you give your waste to someone else you must be sure that they are authorised to take the waste and can dispose of it safely. You must ensure that they are a registered waste carrier and that where they are taking the waste is authorised to receive it.
3. You must keep a written description of the waste that was removed on a Duty of Care waste transfer note. This document must be retained for two years and must be available for inspection at any time.

Failure to comply with these requirements is an offence under the Environmental Protection Act. Even if you are a small business and you do not generate enough waste to require a wheeled bin collection you must still pay for a commercial waste collection

either via Braintree District Council or via a private contractor. Braintree District Council offer a blue bag collection for smaller commercial premises – bags can be bought several at a time from Causeway House (Tel 01376 551414).

For further information on Duty of Care and other environmental matters visit www.netregs.gov.uk.

To check if you are using a licensed waste carrier telephone the Environment Agency on 087808 506 506 or visit www2.environment-agency.gov.uk/epr/search.asp

Recycling

At present Braintree District Council do not offer a recycling collection from commercial premises. However, this is due to be introduced in the next 12-18 months. Any service that is introduced will be advertised on www.braintree.gov.uk and is likely to be brought to your attention via a flyer in your business rates bill. Despite the council not currently offering this service you are urged to recycle as much of your trade waste as possible. There are companies advertising in the yellow pages who are able to recycle various materials for you.

Getting More Help

This handbook can only provide an introduction to health and safety at work. Further guidance is produced in a wide range of literature from HSE books. Some publications are available as single free copies.

HSE priced and free publications are available by mail order from:

HSE Books, PO Box 1999, Sudbury,
Suffolk CO10 6FS
Tel: 01787 881165
Fax: 01787 313995
Email: hsebooks@prolog.uk.com
Web-site www.hsebooks.co.uk

HSE leaflets and other health and safety information are also available from the HSE web-site at www.hse.gov.uk

HSE priced publications are also available from good booksellers.

For any general health and safety enquiry ring the HSE's Infoline

Tel: 08701 545500 or email:
hseinformationservices@natbrit.com

Or write to HSE's Information Centre,
Broad Lane, Sheffield S3 7HQ

For free independent advice on work related health issues such as manual handling, use of chemicals, dusty or noisy environments, problems relating to use of display screen equipment etc. contact Workplace Health Connect advice-line tel: 0845 609 6006, or visit their web-site at:
www.workplacehealthconnect.co.uk

You may also visit our web-site at www.braintree.gov.uk where you will find more detailed health and safety information on a range of subjects.

or

Contact an Inspector for health and safety advice. If you don't know which is your enforcing authority see table overleaf.



The Enforcing Authorities:

TYPE OF BUSINESS	ENFORCING AUTHORITY
Office	Braintree District Council
Shop	Health Protection
Warehouse	
Leisure	See (1) below
Public House/Hotel	
Restaurant/Care/Take Away	
Factory	Health and Safety Executive
Construction Site	(see (2) below)
Agriculture	
Mines and Quarries	
Local Authority	

The enforcing authorities' addresses and telephone numbers are:-

(1) Health Protection, Environmental Health
Braintree District Council, Causeway House,
Bocking End, Braintree, Essex CM7 9HB
Tel: 01376 551414 Fax: 01376 557767

Email: healthandsafety@braintree.gov.uk
www.braintree.gov.uk

(2) HSE (& EMAS)
Health & Safety Executive (HSE)
Wren House, Hedgerows Business Park
Colchester Road, Chelmsford,
Essex CM2 5PF
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www.hse.gov.uk

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Drug Awareness
First Aid at Work
First Aid Appointed Person
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