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46



**HEALTH AND
SAFETY HANDBOOK**



A Clean, Safe and Healthy Environment



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This booklet provides employers and employees with an outline of the health and safety legislation and guidance that may be applicable to their work activities from the Commercial Group at Charnwood Borough Council.

The leaflets or publications that are referred to for further information can be obtained from

HSE Books, PO Box 1999,
Sudbury, Suffolk, CO10 6FS,
Tel; 01787 881165, Fax; 01787 313995,
internet; www.hsebooks.co.uk/Books/

The leaflets are also available on the Health and Safety Executive (HSE) website at www.hse.gov.uk/pubns/index.htm.

An online version of the health and safety handbook is available at www.charnwoodbusiness.com/healthandsafetyhandbook.html.

Employers are also advised to complete the online health and safety questionnaire which follows the contents of the health and safety handbook to ensure that they are aware of and have addressed all relevant health and safety requirements. The questionnaire can then be submitted with any queries to this department to update our records.

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4

19

CONTENTS

OSRI Form	7	Personal Protective Equipment	28
Health and Safety Poster for Employees	7	First Aid	29
Employers' Liability Insurance	8	Accidents	30
Managing Health and Safety	9	Information, Instruction and Training	32
Health & Safety Policy	11	Competent Person	33
Risk Assessments	12	Consultation with Employees	33
Young Persons	13	Contractors	34
New and Expectant Mothers	14	The Workplace	35
Work Related Stress	15	Health	35
Violence	15	Safety	39
Legionnaires' Disease	17	Welfare	41
Fire Risk Assessments	19	Work at Height	42
Dangerous Substances	21	Work Equipment	43
Hazardous Substances	22	Electricity	43
Reach	22	Gas	44
Computers	23	Pressure Vessels	44
Work Related Upper Limb Disorders	24	Lifts	44
Vibration	24	Asbestos	45
Manual Handling	25	Working Time Regulations	47
Noise	27	Smokefree	48
		Further Information	50



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32

THE FOLLOWING HEALTH AND SAFETY ISSUES MAY APPLY TO YOUR WORK ACTIVITIES:

OSRI FORM

The **Offices, Shops and Railway Premises Act 1963** requires that if the sum of hours normally worked each week by all employees is more than 21 hours, then an OSRI should have been completed and sent to Charnwood Borough Council. OSRI forms can be requested from this department or complete online at www.charnwoodbusiness.com/healthandsafetyhandbook.html#OSRI

HEALTH AND SAFETY POSTER FOR EMPLOYEES

The **Health and Safety Information for Employees Regulations 1989** requires that an employer must either display the approved Health and Safety Law poster in a prominent position or give each employee the approved leaflet.

Health and Safety Law Poster	ISBN 0 7176 2493 5	£7.50
Health and Safety Law Leaflet	ISBN 0 7176 1702 5	£5 (Pack of 25)

www.hse.gov.uk/pubns/law.pdf

The employer must also provide the following addresses;

Enforcing Authority	Employment Medical Advisory
Commercial Group	Service (EMAS)
Charnwood Borough Council,	City Gate West
Directorate of Housing & Health	Level 6 (First Floor)
Southfields,	Toll House Hill
Southfields Road,	Nottingham
Loughborough	NG1 5AT
LE11 2TX Tel; 01509 634628	Tel; 0115 9712800

EMPLOYERS' LIABILITY INSURANCE

The **Employers' Liability (Compulsory Insurance) Act 1969** requires employers to insure against their liability to pay damages for bodily injury or disease sustained by their employees arising out of and in the course of their employment. You must be insured for at least £5m. However, you should look carefully at your risks and liabilities and consider whether you need insurance cover of more than £5m. In practice, most insurers offer cover of at least £10m. A copy of the certificate of insurance must be displayed where your employees can easily read it and the copies must be kept for 40 years.

Public liability insurance is different. It covers you for claims made against you by members of the public or other businesses, but not for claims made by employees. While public liability is generally voluntary, employers' liability insurance is compulsory.

Further information can be found in the leaflet **'Employers' Liability (Compulsory Insurance) Act 1969 – A Guide for employers'** HSE40.

MANAGING HEALTH AND SAFETY

Successful companies share the view that “Good Health and Safety is good business”. Many companies find improving workplace standards provides a financial benefit to the company. Investments are repaid, for example:

- improved productivity and efficiency
- less staff absence
- less staff turnover; and
- improved quality of work

Cost effective investment in health and safety is as valuable as any investment in your company. Further information can be found in the leaflet “**Reduce risks – cut costs**’ INDG355

As well as the financial benefit of managing health and safety, there is a legal requirement under **Management of Health and Safety Regulations 1999** that ‘every employer shall make and give effect to such arrangements as are appropriate, having regard to the nature of his activities and the size of the undertaking, for the effective planning, organisation, control, monitoring and review of the preventive and protective measures’.

Further information can be found in the leaflet ‘**Managing Health and Safety: Five Steps to Success**’ INDG275



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HEALTH AND SAFETY POLICY

Under **The Health and Safety at Work etc Act 1974** it is the duty of every employer to prepare and as often as may be appropriate, revise a written statement of his general policy with respect to the health and safety at work of his employees and the organisation and arrangements for the time being in force for carrying out that policy, and to bring that statement and any revision of it to the notice of all his employees. If you have **five or more** employees then you must have a documented health and safety policy. A health and safety policy must consist of three parts;

1. A general statement of the company policy which should be signed by the Managing Director or proprietor, and dated.
2. The organisation for achieving this, and
3. the arrangements for ensuring health and safety in the workplace.

Further information on safety policies and an example template is available in the leaflet **'An Introduction to Health and Safety'** INDG259

RISK ASSESSMENTS

Under the **Management of Health and Safety at Work Regulations 1999** an employer must carry out a suitable and sufficient risk assessment of their work activities.

A risk assessment is nothing more than a careful examination of what, in your work, could cause harm to people, so that you can weigh up whether you have taken enough precautions or should do more to prevent harm. The important things you need to decide are whether a **HAZARD IS SIGNIFICANT** and whether you have it covered by satisfactory precautions so the **RISK IS SMALL**.

HAZARD – means anything that can cause harm (e.g. chemicals, electricity, working from ladders etc).

RISK – is the chance, high or low that somebody will be harmed by the hazard.

The leaflet **‘Five Steps to Risk Assessment’** INDG163 provides further information on how to carry out risk assessments. If you have **five or more** employees then you are required to write down the significant findings of your risk assessments.

The leaflet describes the following five steps:

- Step 1: Look for the hazards
- Step 2: Decide who might be harmed and how
- Step 3: Evaluate the risks and decide whether the existing precautions are adequate or whether more should be done
- Step 4: Record you findings
- Step 5: Review your assessment and revise it if necessary

Risk assessments do not have to be long and complex. They must be fit for the purpose and acted upon. Examples of completed risk assessments for various types of workplaces from the Health and Safety Executive (HSE) are available at www.hse.gov.uk/risk/examples.htm.

YOUNG PERSONS

As an employer you must ensure that young persons (under 18) employed are protected at work from any risks to their health or safety which are a consequence of their lack of experience, or absence of awareness of existing or potential risks or the fact that young persons have not yet fully matured.

A young person's risk assessment must be carried out before they start work. Further guidance is available in the priced publication **'Young people at work: A guide for employers'** HSG 165 ISBN 0 7176 1889 7, or the leaflet **'The right start - Work experience for young people: Health and Safety basics for employers'** INDG364.

If you employ a child under the age of 16 then you need to contact Leicestershire County Council regarding work permits and information on the occupations in which a child may be employed. You must also provide the parents or guardians of the child information on the significant findings of your risk assessment before they start work.

Further guidance can be obtained from:
Education Welfare Service Administrator
Room 700
Leicestershire County Council,
County Hall, Leicester Road,
Glenfield, Leicester
LE3 8RF
Tel; 0116 2656475

NEW AND EXPECTANT MOTHERS

Your risk assessments should also include any specific risks to females of childbearing age who could become pregnant and any risks to new and expectant mothers.

Some of the more common risks that need to be considered are:

- Lifting/carrying of heavy loads
- Standing or sitting for long lengths of time
- Exposure to infectious disease
- Exposure to lead
- Work-related stress
- Workstations and posture
- Exposure to radioactive material
- Threat of violence in the workplace
- Long working hours
- Excessively noisy workplaces

Further information can be found in the leaflet **'A guide for New and Expectant Mothers who work'** – INDG373, or the priced publication **'New and Expectant Mothers at work: A guide for employers'** HSG122 ISBN 0 7176 2583 4.

WORK RELATED STRESS

A total of 12.8 million working days were lost to stress, depression and anxiety in 2004/05 and each case of stress-related ill health lead to an average of 30.9 working days lost. Stress is the adverse reaction people have to excessive pressure. It isn't a disease. But if stress is intense and goes on for some time, it can lead to mental and physical ill health. Where stress caused or made worse by work could lead to ill health, you must assess the risk. A risk assessment for stress involves;

- Looking for pressures at work that could cause high and long lasting levels of stress.
- Deciding who might be harmed by these; and
- Deciding whether you are doing enough to prevent that harm.
- If necessary, you must then take reasonable steps to deal with those pressures.

Further information can be found in the leaflet '**Tackling Stress: The Management Standards Approach – A Short Guide**' INDG406 and www.hse.gov.uk/stress which will include the information on the management standards and the areas that you need to consider, i.e. demands, control, support, relationship, role and change.

Also available are the priced publications '**Tackling work-related stress: A managers' guide to improving and maintaining employee health and well-being**' HSG218 ISBN 0 7176 2050 6, and '**Real solutions, real people: A managers' guide to tackling work-related stress**' ISBN 0 7176 2767 5.

VIOLENCE

The HSE's definition of work related violence is 'any incident in which a person is abused, threatened or assaulted in circumstances relating to their work'. Employees whose job requires them to deal with the public can be at risk from violence, therefore a risk assessment must be carried out. The leaflet '**Violence at work – A guide for employers**' INDG69L provides further information.

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LEGIONNAIRES' DISEASE

Legionnaires' disease is a potentially fatal pneumonia caused by legionella bacteria. Infection is caused by breathing in small droplets of water contaminated by the bacteria. The disease cannot be passed from one person to another. Legionella bacteria may contaminate and grow in cooling towers and hot and cold water services. They survive low temperatures and thrive at temperatures between 20°C - 45°C if the conditions are right, e.g. if a supply of nutrients is present such as rust, sludge, scale, algae and other bacteria. The bacteria are killed by high temperatures.

You must ensure that any water storage is kept in a clean condition, and outside the temperature range of 20°C - 45°C. If any showers are provided or if water droplets are formed e.g. 'wet' air conditioning system or a water fountain then a more detailed assessment should be carried out.

Further information can be found in the leaflet **'Legionnaires' disease – A guide for employers'** IAC27.



On average 250 cases of Legionnaire's Disease are reported each year in the UK. 12% of those who contract it will die.

AVOID PERSONAL PROSECUTION & POTENTIAL FATALITIES!

Owners and operators of commercial premises have a statutory duty to control the risk of legionella bacteria in water systems. Act now - call Swiftclean.

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18 9

There is a requirement to do specific risk assessments under separate regulations, but they can be part of your general risk assessments and include the following;

FIRE RISK ASSESSMENTS

On 6th October 2006 **The Regulatory Reform (Fire Safety) Order 2005** came into effect replacing most previous fire safety legislation with one simple order.

It means that any person who has some level of control in premises must take reasonable steps to reduce the risks from fire and make sure people can safely escape if there is a fire.

The order will be enforced by the Fire Authority, and they can be contacted at;

Leicestershire Fire and Rescue Service
Fire and Rescue Headquarters
Anstey Frith
Leicester Road
Leicester
LE3 8HD

Tel; 0116 2872241

You must:

- Carry out a fire-risk assessment identifying any possible dangers and risks;
- Consider who may be especially at risk;
- Get rid 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; and
- Review your findings when necessary.

Further information is available in the leaflet **'A short guide to making your premises safe from fire'** 05 FRSD 03546 or for more detailed guidance visit www.communities.gov.uk/fire/firesafety

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DANGEROUS SUBSTANCES

The **Dangerous Substances and Explosive Atmospheres Regulations 2002** require you to risk assess the dangerous substances used or stored as part of your work activity. Dangerous substances include; petrol; liquefied petroleum gas (LPG); paints; varnishes; solvents and dusts which when mixed with air could cause an explosive atmosphere.

You must:

- a) Carry out a risk assessment of any work activities including dangerous substances;
- b) Provide measures to eliminate or reduce risks so far as is reasonably practicable;
- c) Provide equipment and procedures to deal with accidents and emergencies;
- d) Provide information and training to employees;
- e) Classify places where explosive atmospheres may occur into zones and mark the zones where necessary.

The leaflet '**Fire and Explosion – How safe is your workplace? – a short guide to the Dangerous Substances and Explosive Atmospheres Regulations 2002**' INDG370 provides further information on this matter.

HAZARDOUS SUBSTANCES

The **Control of Substances Hazardous to Health Regulations 2002** require you to assess the risks to health presented by any hazardous substance which you, your staff or any other person may encounter as a result of your business activities. Then inform, instruct and train employees about matters relating to hazardous substances they work with.

Firstly you should obtain the hazard data sheets for all hazardous chemicals to which employees or others are liable to be exposed as a result of work activities, the supplier or manufacturer of the product is obliged to provide this information free of charge. Look for the orange symbols, indicating harmful, irritant, corrosive, toxic etc. The recommendations of the data sheets concerning the use, handling, storage and transport of hazardous chemicals must be followed, in particular by the provision of appropriate personal protective equipment and the means of dealing with accidental contact, ingestion or spillage. Staff must be made aware of the contents of the data sheets, the harmful effects of the chemicals and the precautions to be taken.

Further information can be found in the leaflet '**COSHH a brief guide to the regulations**' INDG136 and at www.coshh-essentials.org.uk.

REACH

The Registration, Evaluation, Authorisation and Restriction of Chemicals is a new system for controlling chemicals in Europe.

Chemicals that are manufactured or imported into the EU will need to be registered with the new European Chemical Agency (ECHA) in Helsinki.

As a user, it is designed to provide more information on chemicals and increase confidence in their safe use through improved safety data sheets.

For further information then visit www.hse.gov.uk/reach/index.htm

COMPUTERS

If staff are classified as users or operators of computers then there are specific requirements under the **Health and Safety (Display Screen Equipment) Regulations 1992**. It will generally be appropriate to classify the person concerned as a user or operator if they;

- a) Normally use display screen equipment (DSE) for **continuous or near continuous spells of an hour or more** at a time; and
- b) Use DSE in this way **more or less daily**; and
- c) Have to **transfer information quickly** to or from the DSE; and also need to apply high levels of **attention and concentration**; or are **highly dependant** on DSE or have **little choice** about using it; or need **special training or skills** to use DSE.

If you employ users or operators then you must;

- Carry out a suitable and sufficient analysis of those workstations used by users or operators for the purpose of assessing the health and safety risks to which those persons are exposed in consequence of that use. The Schedule to the regulations details minimum workstation requirements.
- Plan the activities of users at work so that it is periodically interrupted by breaks or changes of activity to reduce the workload at that equipment.
- Provide eyetests if requested by the user.
- Provide adequate health and safety training and information in the use of the workstation.

Further information can be found in the leaflet **'Working with VDU's'** INDG36. However you are advised to purchase one of the following two publications, which include a display screen assessment checklist.

'The law on VDUs: An easy guide: Making sure your office complies with the Health and Safety (Display Screen Equipment) Regulations 1992 (as amended in 2002)' HSG90 ISBN 0 7176 2602 4

‘Work with display screen equipment: Health and Safety (Display Screen Equipment) Regulations 1992 as amended by the Health and Safety (Miscellaneous Amendments) Regulations 2002. Guidance on regulations. L26 (second edition)’ ISBN 0 7176 2582 6.

WORK RELATED UPPER LIMB DISORDERS

Work related upper limb disorders (WRULDs), which are often called repetitive strain injury (RSI) are problems with the shoulder and arm, including the forearm, elbow, wrist, hand and fingers, and can include neck pain. Computer use and assembly work are frequently associated with upper limb disorders. There is a wide range of symptoms, such as tenderness, aches and pain, stiffness, weakness, tingling, numbness, cramp or swelling. The symptoms may be slight, but even if they are, they should not be ignored.

WRULD's can be caused by a variety of work tasks involving, for example, forceful or repetitive activity, or by poor posture. The way that the work is organised and managed can cause WRULD's as well as make them worse.

Further information can be found in the leaflet **‘Aching arms (or RSI) in small businesses’** INDG 171.

VIBRATION

The **Control of Vibration at Work Regulations 2005** require that you assess the vibration risk to your employees if your business involves the regular and frequent use of:

- hand-held power tools;
- hand-guided powered equipment;
- powered machines which process hand-held materials;

then you need to obtain the leaflet **‘Control the risks from hand-arm vibration – Advice for employers on the Control of Vibration at Work Regulations 2005’** INDG 175 to assist you in carrying out an assessment.

MANUAL HANDLING

More than a third of all over-three-day injuries reported each year to the enforcing authorities are caused by manual handling – the transporting or supporting of loads by hand or by bodily force. The **Manual Handling Operations Regulations 1992** require employers to:

Avoid the need for hazardous manual handling, so far as is reasonably practicable;

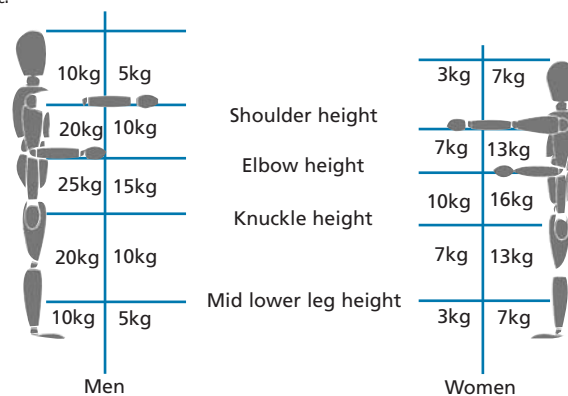
Assess the risk of injury from any hazardous manual handling that can't be avoided; and

Reduce the risk of injury from hazardous manual handling, so far as is reasonably practicable.

You need to assess the **task, load, working environment** and **individual capacity**.

You are advised to obtain a copy of the leaflet '**Getting to grips with manual handling – A short guide**' INDG143 and access the HSE's website on musculoskeletal disorders www.hse.gov.uk/msd and use the Manual Handling Assessment Chart (MAC) Tool to assist you in your assessment.

There is no such thing as a completely 'safe' manual handling operation, but working within the following guidelines will cut the risk and reduce the need for a more detailed assessment.



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26

45

NOISE

The Control of Noise at Work Regulations 2005 require employers to prevent or reduce risks to health and safety from exposure to noise at work.

The Regulations require you as an employer to:

- Assess the risks to your employees from noise at work;
- Take action to reduce the noise exposure that produces those risks;
- Provide your employees with hearing protection if you cannot reduce the noise exposure enough by using other methods;
- Make sure the legal limits on noise exposure are not exceeded;
- Provide your employees with information, instruction and training;
- Carry out health surveillance where there is a risk to health.

Further information is available in the leaflet '**Noise at Work – Guidance for Employers on the Control of Noise at Work**' INDG362 or at www.hse.gov.uk/noise/index.htm.

Employers in the music and entertainment sectors have until 6 April 2008 to comply with the Regulations. Meanwhile they must continue to comply with the Noise at Work Regulations 1989, which these Regulations replaced for all other workplaces.

Further guidance will be available for the entertainment industry in the near future in the form of 'Sound Advice'. Visit www.hse.gov.uk/noise/musicsound.htm for further information.

PERSONAL PROTECTIVE EQUIPMENT

The main requirement of the **Personal Protective Equipment Regulations 1992** is that personal protective equipment is to be supplied and used at work whenever there are risks to health and safety that cannot be adequately controlled in other ways. Personal protective equipment is considered to be the last resort, but where it is the only effective means of controlling the risk then employers must ensure that it is available for use at work – free of charge.

Further information is available in the leaflet '**A short guide to the Personal Protective Equipment at Work Regulations 1992**' INDG174

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32

FIRST AID

The **Health and Safety (First-Aid) Regulations 1981** require you to provide adequate and appropriate equipment, facilities and personnel to enable first aid to be given to your employees if they are injured or become ill at work. What is adequate and appropriate will depend on the circumstances in your workplace and you should assess what your first aid needs are.

The minimum first-aid provision on any work site is

- A suitably stocked first aid box.
- An 'Appointed Person' to take charge of first aid arrangements.

An 'Appointed Person' is someone who takes charge when someone is injured or falls ill, including calling an ambulance if required and looks after the first-aid equipment, e.g. restocking the first-aid box.

An 'Appointed Person' is not a 'First Aider', a 'First Aider' is someone who has undergone a training course in administering first aid at work and holds a current first aid at work certificate approved by HSE.

Guidance for lower risk premises e.g. shops and offices, libraries;

Fewer than 50 employees	At least one 'Appointed Person'.
50 – 100 employees	At least one 'First Aider'
More than 100 employees	One additional 'First Aider' for every 100 employed

You have to inform your employees of the first aid arrangements. Further information can be found in the leaflet **'First Aid at Work – Your Questions Answered'** INDG214.

ACCIDENTS

The **Social Security (Claims and Payments) Regulations 1979** requires that all injuries to employees regardless of how minor they may appear to be, are recorded in an accident book kept on the premises, where ten or more persons are employed at any one time. It is recommended that you record this information even if you have less than ten employees. Accident books should now be compliant with data protection legislation.

There is no requirement for injuries to non employees to be recorded in an accident book unless they are reportable under RIDDOR (see below), however it is recommended that they are recorded for your own information and assessment and also if any claims are made against the business.

The **Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995** (RIDDOR) requires the employer, self employed or person in control of a work premises to report some work-related accidents, diseases and dangerous occurrences.

You need to report the following;

Death or major injury

If there is an accident connected with work and;

- Your employee, or a self employed person working on your premises is killed or suffers a major injury; or
- A member of the public is killed or taken to hospital.

Over-three-day injury

Where there is an accident connected with work and your employee or self employed person working on your premises, suffers an over-three-day injury, i.e. they are off work or cannot fulfil their normal duties.

Disease

If a doctor notifies you that a employee suffers from a reportable work-related disease.

Dangerous Occurrence

If something happens which does not result in a reportable injury, but which clearly could have done, it may be a dangerous occurrence.

More details can be found in the leaflet **'RIDDOR Explained'** HSE31 and this also contains a F2508 form that will need to be completed if such an incident occurred.

You need to report the incident to the Incident Contact Centre (ICC) as soon as possible by one of the following methods;

Phone	0845 300 9923	(8.30am – 5.30pm)
Fax	0845 300 9924	(anytime)
Internet	www.riddor.gov.uk	
E-mail	riddor@natbrit.com	
Post	Incident Contact Centre, Caerphilly Business Park, Caerphilly, CF83 3GG	

You must keep a record of any reportable injury, disease or dangerous occurrence for three years after the date on which it happened.

INFORMATION, INSTRUCTION AND TRAINING

The following must be provided to employees;

INFORMATION – Factual material to people about risks and health and safety measures in place, e.g. the significant findings of a risk assessment.

INSTRUCTION - Telling people what they should and should not do.

TRAINING - Helping them to learn how to do it.

In particular, you need to have systems in place for induction training, i.e. the company's safety policy and the arrangements you have made to deal with health and safety matters and also when employees are exposed to new or increased risks. Employers must, when entrusting tasks to employees, take into account their capabilities as regards health and safety and provide them with adequate health and safety training.

Further information can be found in the leaflet **“Health and Safety Training – What you need to know”** INDG345

COMPETENT PERSON

The person responsible to assist in undertaking the measures to comply with health and safety legislation should have sufficient training and experience or knowledge of health and safety. This may be the employer, or an employee, or a consultancy firm appointed for health and safety.

There are various health and safety courses and qualifications that are available, and one that is particularly recommended is the CIEH's Level 2 Award in Health and Safety in the Workplace, which provides a general understanding of health and safety. Charnwood Borough Council offers this course as a one day or two half day sessions with a multiple choice examination at the end consisting of thirty questions. For further information then please contact the department.

CONSULTATION WITH EMPLOYEES

You must consult with employees on health and safety matters. If you recognise a trade union and that trade union has appointed a safety representative, you must consult them on matter affecting the employees they represent. **(Safety Representatives and Safety Committees Regulations 1997).**

If you do not have trade unions, you must consult employees, either directly or through an elected representative. **(Health and Safety (Consultation with Employees) Regulations 1996).**

Further information can be found in the leaflet **'Consulting employees on health and safety: A guide to the law'** INDG232



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13

CONTRACTORS

Individual contractors have a responsibility to work safely, however, you still have the legal responsibility to ensure that any work undertaken on your premises is carried out safely and in compliance with the law. There is a duty to co-operate and co-ordinate safety measures to ensure a safe working environment.

Contractors must be informed of any relevant details in your Health and Safety Policy and any significant findings of your risk assessments, which may affect them. You must carry out a risk assessment of the activities that they are to carry out and identify if there are any additional control measures that need to be undertaken to reduce any potential hazard to as low as is reasonably practicable, for example fencing off an area and the use of signs. Liaison with window cleaning contractors etc is essential to ensure safe systems of work are adequate.

Further information can be found in the leaflet **'Use of contractors – a joint responsibility'** INDG368.



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THE WORKPLACE

The **Workplace (Health, Safety and Welfare) Regulations 1992** require the following;

HEALTH

Ventilation – Effective and suitable provision must be made to ensure that every enclosed workspace is ventilated by a sufficient quantity of fresh or purified air. Workers should not be subject to uncomfortable draughts. The fresh air supply rate should not normally fall below 5 to 8 litres per second, per occupant.

Mechanical ventilation systems (including air conditioning systems) should be regularly and properly cleaned, tested and maintained to ensure that they are kept clean and free from anything which may contaminate the air. The air that is introduced should, as far as possible, be free of any impurity which is likely to be offensive or cause ill health.

Temperature - During working hours, the temperature in all workplaces inside buildings must be reasonable, and a sufficient number of thermometers must be provided to enable persons at work to determine the temperature in any workplace inside a building.

The temperature in workrooms should normally be at least 16 degrees Celsius unless much of the work involves severe physical effort in which case the temperature should be at least 13 degrees Celsius. There is no maximum temperatures stated in guidance, however when staff in the workplace are too hot, then employers need to make any assessment of the situation and consider the provision of fans, blinds, availability of water, additional rest breaks, relaxing formal dress code etc, to ensure the thermal comfort of their employees.

An acceptable zone for thermal comfort for most people in the UK lies roughly between 13°C (56°F) and 30°C (86°F), with acceptable temperatures for more

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strenuous work activities concentrated towards the bottom end of the range, and more sedentary activities towards the higher end.

Lighting – The workplace must have suitable and sufficient lighting, so far as is reasonable practicable, by natural light. Lighting should be sufficient to enable people to work, use facilities and move from place to place safely and without experiencing eye strain.

Automatic emergency lighting, powered by independent source, should be provided where sudden loss of light would create a risk.

Cleanliness and Waste Materials – The workplace and the furniture and fittings should be kept clean and it should be possible to keep the surfaces of floors, walls and ceilings clean. Cleaning and the removal of waste should be carried out as necessary by an effective method. Waste should be stored in suitable receptacles.

Room Dimensions and Space – Workrooms should have enough free space to allow people to move about with ease. The volume of room, when empty, divided by the number of people normally working in it should be at least 11 cubic metres. All or part of a room over 3.0 m high should be counted as 3.0 m high. Eleven cubic metres per person is a minimum and may be insufficient depending on the layout, contents and the nature of the work.

Workstations and Seating – Workstations should be suitable for the people using them and for the work. People should be able to leave workstations swiftly in an emergency. If work can or must be done sitting, seats, which are suitable for the people using them and for the work done there should be provided. Seating should give adequate support for the lower back, and footrest should be provided for workers who cannot place their feet flat on the floor.



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SAFETY

Maintenance – The workplace and the equipment, devices and systems provided must be maintained (including cleaned as appropriate) in an efficient state, in efficient working order and in good repair.

Floors and Traffic Routes – There should be sufficient traffic routes, of sufficient width and headroom, and organised to allow people and vehicles to circulate safely with ease.

Every year about 70 people are killed in accidents involving vehicles at the workplace. The leaflet **‘Workplace Transport Safety – An overview’** INDG199 provides further information on assessing your workplace vehicle activities.

Floors and traffic routes should be sound and strong enough for the loads placed on them and the traffic expected to use them. The surfaces should not have holes, be uneven or slippery and should be kept free of obstructions.

The most common cause of non fatal major injuries to employees is a slip, trip or fall on the same level. Further information can be found in the **‘Preventing slips and trips at work’ leaflet**, INDG225 or www.hse.gov.uk/slips

Open sides of staircases should be fenced with an upper rail at 900mm or higher and a lower rail. A handrail should be provided on at least one side of every staircase and on both sides if there is a particular risk.

Transparent or Translucent Doors, Gates or Walls and Windows – windows, transparent or translucent surfaces in walls, partitions, doors and gates should, where necessary for reasons of health and safety, be made of safety material or be protected against breakage. If there is a danger of people coming into contact with it, it should be marked or incorporate features to make it apparent.

Openable windows and the ability to clean them safely - should be capable of being opened, closed or adjusted safely and, when open, should not be dangerous. They should also be designed so that they can be cleaned safely.

Doors and gates – should be suitably constructed and fitted with safety devices if necessary.

Escalators and moving walkways – they should function safely, be equipped with any necessary safety devices, and be fitted with one or more emergency stop controls which are easily and readily accessible.

WELFARE

Sanitary conveniences and washing facilities – Suitable and sufficient sanitary conveniences and washing facilities should be provided at readily accessible places. They and the rooms containing them should be kept clean and be adequately ventilated and lit. Washing facilities should have running hot and cold or warm water; soap and clean towels or other means of cleaning or drying.

Drinking water – An adequate supply of wholesome drinking water; with an upward drinking jet or suitable cups, should be provided.

Accommodation for clothing and facilities for changing – Adequate, suitable and secure space should be provided to store workers' own clothing and special clothing.

Facilities for rest and to eat meals – Suitable and sufficient, readily accessible, rest facilities should be provided. They should include suitable facilities to eat meals where meals are regularly eaten in the workplace and the food would otherwise be likely to become contaminated.

Further information regarding the **Workplace (Health, Safety and Welfare) Regulations 1992** can be found in the leaflet '**Workplace health, safety & welfare - a short guide for managers**' INDG 244.



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12

WORK AT HEIGHT

The **Work at Height Regulations 2005** applies to all work at height where there is a risk of a fall liable to cause personal injury.

There is a simple hierarchy for managing and selecting equipment for work at height. Duty holders must:

- avoid work at height where they can;
- use work equipment or other measures to prevent falls where they cannot avoid working at height; and
- where they cannot eliminate the risk of a fall, use work equipment or other measures to minimise the distance and consequences of a fall should one occur.

The Regulations require duty holders to ensure:

- All work at height is properly planned and organised.
- All work at height takes account of weather conditions that could endanger health and safety.
- Those involved in work at height are trained and competent.
- The place where work at height is done is safe.
- Equipment for work at height is appropriately inspected.
- The risks from fragile surfaces are properly controlled, and
- The risks from falling objects are properly controlled,

Identify all activities that are carried out at a height and suitably assess in accordance with these Regulations, further information can be found in the leaflet **'The Work at Height Regulations 2005 – A brief guide'** INDG401.

On average 13 people a year die at work falling from ladders and nearly 1200 suffer major injuries. More than a quarter of falls happen from ladders. HSE's key message is that ladders should only be used for low-risk, short duration work.

The leaflet **'Safe use of ladders and stepladders'** INDG402 provides further information on the safe use of ladders or visit www.hse.gov.uk/falls/

WORK EQUIPMENT

The **Provision and Use of Work Equipment Regulations 1998** require that equipment provided for use at work is:

- Suitable for the intended use;
- Safe for use, maintained in a safe condition and, in certain circumstances, inspected to ensure this remains the case;
- Used only by people who have received adequate information, instruction and training; and
- Accompanied by suitable safety measures, eg protective devices, markings, warnings.

Further information is available in the leaflet '**Simple guide to the Provision and Use of Work Equipment Regulations 1998**' INDG291

ELECTRICITY

The **Electricity at Work Regulations 1989** require that all electrical systems (including equipment) must, so far as is reasonably practicable, be maintained so as to prevent danger.

The Institute of Electrical Engineers (IEE) recommends that commercial premises are inspected by a competent electrical engineer every 5 years.

Portable appliances should be subject to user checks, periodic formal visual inspection and where necessary combined inspection and testing as explained in the leaflet '**Maintaining portable electrical equipment in offices and other low-risk environments**' – INDG236.

GAS

It is a legal requirement under the **Gas Safety (Installation and Use) Regulations 1998** for all gas appliances to be regularly maintained by a competent person who is authorised by the Council for Registered Gas Installers (CORGI). To check if they are registered and also the type of work that they are licensed to carry out then telephone 0800 915 0485 or visit www.trustcorgi.com/consumers.htm.

It is recommended that service checks are carried out at least annually or to a timescale as specified by the CORGI operative and that written details of the service check are kept along with any necessary resultant remedial work.

PRESSURE VESSELS

Under the **Pressure Systems Safety Regulations 2000**, a written scheme of examination is required for most pressure systems e.g. compressors. Further information can be found in the leaflet **'Pressure systems – safety and you'** INDG261.

LIFTS

The **Lifting Operations and Lifting Equipment Regulations 1998** requires that all lifts provided for use in work activities are thoroughly examined by a competent person. Lifts must be examined at statutory intervals (Passenger lift – every 6 months, Goods lift – every 12 months) or in accordance with an examination scheme drawn up by a competent person, generally they are organised through an insurance company.

Further information can be found in the leaflets **'Thorough examination and testing of lifts – simple guidance for lift owners'** INDG 339 and **'Simple guide to the Lifting Operations and Lifting Equipment Regulations 1998'** INDG290.

ASBESTOS


There is a duty to manage asbestos in the **Control of Asbestos Regulations 2006**. The duty will apply to you if you have maintenance and repair responsibilities for non-domestic premises either through a contract or tenancy agreement or because you own the premises. The duty will require you to manage the risk from asbestos by:

- Finding out if there is asbestos in the premises, its amount and what 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 the asbestos containing materials or presumed asbestos containing materials 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; and
- Providing information on the location and condition of the material to anyone who is liable to work on or disturb it.

Anyone who has information on the whereabouts of asbestos in your premises is required to make this available to you as the dutyholder. Those who are not dutyholders, but control access to the premises would have to co-operate with you in managing the asbestos.

Further information can be found in the leaflet '**A short guide to managing asbestos in premises**' INDG223 or www.hse.gov.uk/asbestos

Under the Control of Asbestos Regulations 2006 in the vast majority of cases if you are working with asbestos insulation, asbestos coating or asbestos insulation board then you will need to hold a licence. For further information then visit www.hse.gov.uk/asbestos/index.htm, this also has a list of licensed contractors.



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WORKING TIME REGULATIONS

The basic right and protections that the Regulations provide, are

- A limit of an average of 48 hours a week which a worker can be required to work (though workers can choose to work more if they want to – signed agreement to opt out).
- A limit of an average of 8 hours work in 24 which nightworkers can be required to work.
- A right for night workers to receive free health assessments.
- A right to 11 hours rest a day.
- A right to a day off each week.
- A right to an in-work rest break (minimum 20 minutes) if the working day is longer than six hours.
- A right to four weeks paid annual leave.

Young workers have the following enhanced rights;

- A limit of 40 hours a week, and 8 hours a day.
- A right to 12 hours rest a day.
- A right to two days off each week.
- A right to an in-work rest break (30 minutes) if the working day is longer than four and a half hours.

The limits (the weekly working time, night work limits and health assessments for night workers) will be enforced by the health and safety enforcing authorities. The entitlements (the weekly and daily rest, rest breaks and paid annual leave) will be enforced through the Employment Tribunals. Leicester Employment Tribunal can be contacted on 0116 2550099.

Further information can be found in the Department for Business, Enterprise and Regulatory Reform publication '**DTI - Your Guide to the Working Time Regulations**' which can be found at www.berr.gov.uk

SMOKEFREE

From 1 July 2007 **The Health Act 2006** and associated smokefree regulations require that virtually all enclosed and substantially enclosed public places, workplaces and work vehicles are smokefree.

Employers, managers and those in charge of smokefree premises and vehicles will need to:

- Display 'no-smoking' signs in smokefree premises and vehicles.
- Take reasonable steps to ensure that staff, customers/members and visitors are aware that premises and vehicles are legally required to be smokefree.
- Remove any existing indoor smoking rooms.
- Ensure that no one smokes in smokefree premises or vehicles.

You may also want to take these supportive measures:

- Remove ashtrays from smokefree areas.
- Develop a smokefree policy in consultation with staff.
- Other staff training to help them understand the law and what their responsibilities are.
- Provide your staff and customers with support to quit smoking.

The penalties and fines for the smokefree offences set out in the Health Act 2006 are:

- Smoking in a smokefree premises or vehicle: a fixed penalty notice of £50 (discounted to £30 if paid within 15 days from the issue of a notice) or a fine by a court not exceeding level 1 on the standard scale (up to £200).
- Failure to display no smoking signs in smokefree premises and vehicles as required by the new law: a fixed penalty notice of £200 (discounted to £150 if paid within 15 days from the issue of a notice) or a fine by a court not exceeding level 3 on the standard scale (up to £1000).

- Failing to prevent smoking in a smokefree premises or vehicle: a fine by a court not exceeding level 4 on the standard scale (up to £2500).

For further information then visit www.smokefreeengland.co.uk or contact the Commercial Group on 01509 634916 or alternatively contact the Smokefree Compliance Line on 0800 587 1667.

FURTHER INFORMATION

Further information on all health and safety topics can be found on the HSE's website www.hse.gov.uk or alternatively contact the HSE's confidential helpline;

HSE Infoline	Tel; 0845 4089566
Caerphilly Business Park	Fax; 0845 4089577
Caerphilly	E-mail; hse.infoline@natbrit.com
CF83 3GG	

This information pack was produced by the Commercial Team at Charnwood Borough Council to assist businesses in addressing health and safety requirements for which they are the enforcing authority. For any further information then contact them on the following;

Commercial Group	Tel; 01509 634628
Directorate of Housing & Health	Fax; 01509 262076
Charnwood Borough Council	E-mail; occupational.health@charnwood.gov.uk
Southfields	Internet; www.charnwood.gov.uk
Southfields Road	
Loughborough	
LE11 2TX	

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10