

Employers' health and safety responsibilities

Employers have responsibilities for the health and safety of their employees.

They are also responsible for any visitors to their premises such as customers, suppliers and the general public.

The Health and Safety at Work Act

The Health and Safety at Work etc Act 1974 is the primary piece of legislation covering work-related health and safety in the United Kingdom.

- It sets out a lot of the employer's responsibilities for your health and safety at work.
- The Health and Safety Executive is responsible for enforcing health and safety at work.

Risk assessments

The employer has a 'duty of care' to look after, as far as possible, your health, safety and welfare while you are at work.

They should start with a risk assessment to spot possible health and safety hazards.

They have to appoint a 'competent person' with health and safety responsibilities. This is usually one of the owners in smaller firms, or a member of staff trained in health and safety in larger businesses.

Businesses employing five or more people

For businesses employing five or more people, there must also be:

- an official record of what the assessment finds (your employer has to put plans in place to deal with the risks)
- a formal health and safety policy, including arrangements to protect your health and safety (you should be told what these are)





The employer's duty of care in practice

All employers, whatever the size of the business, must:

- make the work place safe
- prevent risks to health
- ensure that plant and machinery is safe to use, and that safe working practices are set up and followed
- make sure that all materials are handled, stored and used safely
- provide adequate first aid facilities
- tell you about any potential hazards from the work you do, chemicals and other substances used by the firm, and give you information, instructions, training and supervision as needed
- set up emergency plans
- make sure that ventilation, temperature, lighting, and toilet, washing and rest facilities all meet health, safety and welfare requirements
- check that the right work equipment is provided and is properly used and regularly maintained
- prevent or control exposure to substances that may damage your health
- take precautions against the risks caused by flammable or explosive hazards, electrical equipment, noise and radiation
- avoid potentially dangerous work involving manual handling and if it can't be avoided, take precautions to reduce the risk of injury
- provide health supervision as needed
- provide protective clothing or equipment free of charge if risks can't be removed or adequately controlled by any other means
- ensure that the right warning signs are provided and looked after
- report certain accidents, injuries, diseases and dangerous occurrences to either the Health and Safety Executive (HSE) or the local authority, depending on the type of business



Making the workplace safe and healthy

So that the work premises provide a safe and healthy place to work, the employer should:

- make sure that workplaces are properly ventilated, with clean and fresh air
- keep temperatures at a comfortable level - a minimum of 13 degrees C where the work involves physical activity or 16 degrees C for 'sedentary' workplaces e.g offices but there's no maximum limit
- light premises so that employees can work and move about safely
- keep the workplace and equipment clean
- ensure that workrooms are big enough to allow easy movement with at least 11 cubic metres per person
- provide workstations to suit the employees and the work
- keep the workplace and equipment in good working order
- make floors, walkways, stairs, roadways etc safe to use
- protect people from falling from height or into dangerous substances
- store things so they are unlikely to fall and cause injuries
- fit open-able windows, doors and gates with safety devices if needed
- provide suitable washing facilities and clean drinking water
- if necessary, provide somewhere for employees to get changed and to store their own clothes
- set aside areas for rest breaks and to eat meals, including suitable facilities for pregnant women and nursing mothers
- let employees take appropriate rest breaks and their correct holiday entitlement
- make sure that employees who work alone, or off-site, can do so safely and healthily

Health and safety representatives

The employer has a duty to consult all staff about health and safety issues in the workplace.

They do this by either talking direct to employees or to a safety representative acting on behalf of the employees.

Employer's duty to consult on health and safety

The employer has a legal duty to:

- consult about anything that may affect health and safety in the workplace
- give you, if you are being consulted directly, or your safety rep or ROES, the chance to state their views

They must take account of these views when making a decision.

The employer must consult on:

- changes in working practices or procedures that could affect your health and safety
- arrangements for using competent people to help the business comply with health and safety legislation
- information to be made available on health and safety risks in the workplace
- planning of health and safety training
- health and safety issues with new technology

The employer doesn't consult as the law requires, they are committing an offence.

Reporting an accident at work

Employers must report serious work-related accidents, diseases and dangerous incidents to the Incident Contact Centre of the Health and Safety Executive (HSE).

They must report:

- death
- major injuries, eg a broken arm or ribs
- dangerous incidents, eg the collapse of scaffolding, people overcome by gas
- any other injury that stops an employee from doing their normal work for more than three days
- disease

