Health and Safety in the Workplace
These learning resources and assessment questions have been approved and endorsed by NCFE.

Disclaimer:
All references to individuals, groups and companies contained within these resources are fictitious and do not relate to any person or company.
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We hope you find all of the information contained in this resource pack interesting and informative. This learning resource and the assessment questions have been approved by NCFE. (A complete list of the learning outcomes can be found on the last page of this resource.)

This unit is split into four sections. These are:

- Section 1: Roles and responsibilities for health, safety and welfare at work
- Section 2: How risk assessments contribute to health and safety
- Section 3: Identifying and controlling risks from common workplace hazards
- Section 4: Procedures for responding to accidents and incidents at work

As you start to read through each page you will be able to make notes and comments on things you have learnt or may want to revisit at a later stage. At the end of each section, you will be asked to go to your assessment booklet and answer the relevant questions.

Once you have answered the questions go to the next section and continue studying until all of the assessments have been completed.

Please make sure that you set aside enough time to read each section carefully, making notes and completing all of the activities. This will allow you to gain a better understanding of the subject content and will help you to answer all of the assessment questions accurately.

Good luck with your study. Now let’s begin!
Section 1: Roles and responsibilities for health, safety and welfare at work

Within this section you will learn about:

- Employers’ and employees’ duties relating to health, safety and welfare
- Consequences of non-compliance with health and safety legislation
- Requirements for training and competence
- Communicating health and safety information.

Employers’ and employees’ duties relating to health, safety and welfare

The Health and Safety at Work etc Act 1974 (HASAWA)

The Health and Safety at Work etc Act 1974 — or HASAWA, provides the basis for all other health and safety regulations in any workplace. Whilst those regulations may relate to a range of different health and safety issues they are all ‘enabled’ by the HASAWA.

Employers’ duties under the Act

Employers have a legal duty to protect the health and safety of employees and others by providing:

- Risk assessments
- Personal protective equipment (PPE) free of charge
- Safe procedures in the event of fire or other emergencies
- Training in safe ways of working
- Adequate welfare and first aid facilities
- Safe equipment
- Reporting and monitoring of dangerous occurrences and certain work-related illnesses and diseases.

The duty to provide a health and safety policy

Q. What is the purpose of a health and safety policy?

A. A health and safety policy is a document that demonstrates to others that everyone in the organisation is committed to providing a safe working environment and outlines how it will do this.
Health and safety policies state how the policy will be put into practice. The policy may also include health and safety arrangements such as:

- The roles and responsibilities of people that have been given safety duties. The maintenance of a safe place of work
- Safe systems of work
- Provision of information, training and consultation with employees.

### Activity 1: Health and safety policy
Locate the health and safety policy for an organisation that you are familiar with – your workplace, your school or college. Make notes of the main points.

### Key Fact
It is a legal requirement for organisations employing five or more people to produce a written health and safety policy.

### Duties of consultation
Employers must consult employees through an appointed health and safety representative and/or safety committee about any changes that could affect health and safety.

### Duties to people who are not employees
Under the 1974 Act the employer must ensure that nobody on the premises is exposed to risks, including:

- Members of the public
- Contractors
- Maintenance workers
- Emergency services.

They must provide information for the public about risks from work activities.
Key Fact

Employers have to ensure ‘so far as reasonably practicable’, the health, safety and welfare of all persons on their premises.

Employees’ duties under the Act

Under the HASAWA all employees have a duty to:

- Safeguard their own and others’ health and safety
- Use PPE as instructed
- Follow instructions and training in safe ways of working
- Report risks and hazards
- Use the machinery and equipment correctly
- Report accidents, illnesses and work-related diseases as required
- Co-operate with the employer over health and safety issues.

Key Fact

The Health and Safety at Work etc Act 1974 is the basis for all current legislation and aims to safeguard the health, safety and welfare of all workers in all employment.
Consequences of non-compliance with health and safety legislation

Non-compliance with the law can have serious consequences for both employers and employees.

Consequences of non-compliance for employers

If an employer fails to comply with health and safety legislation they can be prosecuted. Prosecutions may be heard in a Magistrate’s Court or a Crown Court in England and Wales depending on the seriousness of the offence, or the sheriff’s court in Scotland.

If found guilty of an offence employers can be fined, imprisoned and disqualified from holding a position as a director, depending on the particular case.

Look at the following case studies to see some examples.

Case Study 1: Trips due poor housekeeping

A convenience store was prosecuted by a customer following a tripping accident. The customer tripped over newspaper plastic binding used to hold the newspapers together, causing an injury to her hip. She was unable to work for five months.

The management of the store had previously been warned about housekeeping issues and the company was fined over £4,500 in the Magistrates Court.

Case Study 2: Broken ankle results in a fine

A company was held responsible for a driver breaking his ankle and was fined a total of £5,600 and ordered to pay costs of £8,951. The driver had been working at the company for just two weeks when the incident took place.

The company was prosecuted for failing to ensure there was a suitable and sufficient risk assessment of the wooden decking near a diesel pump in one of its depots, and failing to protect drivers using the pump. The company was also guilty of failing to ensure every floor in the workplace was suitable for the purpose for which it was used and was not slippery.

Key Fact

In addition to financial repercussions, employers who do not comply with health and safety law risk losing their reputation.
Consequences of non-compliance for employees

If employees fail to follow instructions and training provided by the employer in relation to health and safety, or knowingly break the law, this could result in:

- Injury, ill health or the death of the employee, their colleagues or members of the public
- Damage to the workplace, work equipment, work data or the wider environment
- Economic damage to the business through lost production and claims for damages
- Economic damage to wider society resulting from the cost of treatment for ill health and injury, and working days lost through sickness.

Failure to comply with health and safety laws could therefore result in:

- Disciplinary action
- Compulsory transfer
- Dismissal
- Legal action including fines or imprisonment.

Requirements for training and competence

The Health and Safety at Work etc Act 1974 requires employers to provide whatever information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety at work of your employees.

The Management of Health and Safety at Work Regulations 1999 identify situations where it is particularly important for employers to provide training and competence.

STOP AND THINK!

When would health and safety training at work be particularly important?

Did you think about the following circumstances?

- When new people start work
- When people change jobs
- Where people are exposed to new or increased risks from equipment or processes
- Where existing skills need updating.
Case Study: Prosecution

A contracting company was prosecuted following a serious accident to an employee who sustained back injuries when his quad bike overturned. The employee was ascending a slope when the quad bike overturned backwards and fell on top of him. The employee had no formal training - he had merely been shown the basic controls and left to his own devices. The employee's lower back vertebrae fractured as a result of the accident.

The company was prosecuted. They pleaded guilty and were fined £1,000.

Key Fact

Providing health and safety information and training helps employers to:

• Ensure that people know how to work safely and without risks to health
• Develop a positive health and safety culture, where safe and healthy working is a main priority
• Meet their legal duty to protect the health and safety of employees.
Communicating health and safety information

There are a number of ways in which organisations can communicate health and safety information to their workforce and the general public.

Activity 2: Communicating health and safety information

If you were responsible for health and safety in a workplace, how would you get your information across to the workforce and the general public who might visit the organisation as customers, reps, or visitors from other companies? There is one already provided to start you off.

Devising a health and safety policy and providing it to all new staff at induction.

Did you think of any of the following?

When communicating with staff:

- Make health and safety issues part of induction for all new employees
- Create a health and safety committee that can feed back information through health and safety reps
- Have health and safety as a standing item on the agenda of departmental meetings
- Implement staff training sessions to keep people up-to-date with new legislation and changes to existing laws
- Display the health and safety law poster
- Include articles in newsletters and staff magazines
- Send email alerts on the intranet
- Insert information in pay slips
- Display safe operating procedures on machinery
- Ensure that hazard information sheets from suppliers are available to employees.
To communicate with members of the public and visitors use:

- Health and safety signage
- Hazard warnings where necessary
- Digital displays of health and safety information.

**The health and safety law poster**

Employers are required by law to either display the law poster approved by the Health and Safety Executive (HSE), or to provide each of their workers with the equivalent leaflet. The poster tells employers and employees in simple terms what they must do in relation to health and safety.

The 1999 versions of the poster and leaflet have been redesigned to be more readable and engaging and are available in a range of different formats, large print and as talking leaflets to make health and safety information more accessible.

Complete the activity below to see a full example.

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**Activity 3: Communicating health and safety information – the HSE law leaflet**

Use the link below to download the full HSE law leaflet from the HSE website.

Let's Summarise

Take a few moments to answer the following questions to help you summarise what you have learnt in this section. This will help you answer the questions in your assessment booklet.

1. Employers have a duty to supply PPE free of charge.
   - True [ ]
   - False [ ]

2. Give one example of a duty placed on employees in relation to health and safety.

3. Depending on the circumstances, employers can be fined or imprisoned for not complying with health and safety law.
   - True [ ]
   - False [ ]

4. Give an example of how health and safety information can be communicated to employees.

Check your answers by looking back over this section.