



Goole Town Council

CODE OF PRACTICE AND GUIDELINES RELATING TO THE MANAGEMENT OF HEALTH AND SAFETY AT WORK REGULATIONS

This Code of Practice and guidelines must be read in conjunction with the regulations and approved Code of Practice relating to this issue.

Goole Town Council accepts that the Health and Safety at Work etc Act 1974 and the Management of Health and Safety at Work Regulations 1999 place a duty on it to ensure compliance with the Regulations and that suitable and sufficient assessments of risk in all work activities are carried out and that adequate and sufficient training is given to employees to enable them to properly conduct this task.

GUIDELINES AND GUIDANCE NOTE RELATING TO THE MANAGEMENT OF HEALTH AND SAFETY AT WORK REGULATIONS

INDEX

	<u>Page</u>
Introduction	3
Competent Person	3
Risk Assessment	4
Hazard and Risk	4
Carrying out a Risk Assessment	4
Records	5
Preventative and Protective Measures	5
Health Surveillance	6
Monitoring	6
Risk Assessment Procedure	7
Element 1, Hazard Identification	7
Risk Potential	8
Element 2, Control Measures	9
Follow-up Action	9
Process Flowchart	10
Potential Hazards	11
Hierarchy of Control Measures	12
List of Regulations and Schedules	13
Precis of the Regulations	14-17
Precis of the Schedules	18

MANAGEMENT OF HEALTH AND SAFETY AT WORK REGULATIONS

Introduction

The Regulations indicate duties that are applicable to virtually every work activity in Great Britain. The main aim is to improve health and safety management and encourage a more systematic and organised approach to health and safety.

The main requirements of the regulations are for employers to;

- assess risks to their employees and others who may be affected;
- make and record arrangements for implementing the health and safety measures identified as necessary by the risk assessment;
- appoint competent persons to assist with implementing the health and safety arrangements;
- establish emergency procedures;
- provide information which can be understood and adequate training;
- co-operate and co-ordinate with other employers in the same workplace.

Competent Person

The Town Clerk may authorise a competent employee to undertake risk assessments on his behalf.

To ensure compliance with the regulations a person shall be regarded as competent where he/she has;

- sufficient training;
- experience or knowledge;
- other qualities to enable him properly to assist in undertaking the measures referred to in the assessment.

This is 'competence to manage' a function (or part of a function) within an organisation.

RISK ASSESSMENT

Managers of Services, premises, workplaces or sections are required to carry out assessments of risk to all employees whilst they are at work and to anybody else at risk from work activities.

The aim of these assessments is to measure compliance with the relevant health and safety legislation by either eliminating any hazards or reducing them to a minimum level. Priority must be given to **significant** risks and less emphasis on trivial risks. Where an activity puts many people at risk a more detailed assessment will generally be required than for one putting a single person at risk.

Hazard and Risk

- A **hazard** is something with the potential to cause harm.
- **Risk** is the likelihood that harm from the hazard is realised.

The measurement of risk can be assessed by considering;

- What is the hazard?
- Who/how many people could be affected?
- What would the consequences be?

Hazards could be grouped for risk assessment as follows;

- Fire, explosion, bomb.
- Gas leak, chemical spillage.
- Electrical shocks, burns, fire.
- Mechanical hazards from machinery.
- Violence and aggression from people and animals.
- Transport.
- Tripping, slipping and falling.

All or any combination of these hazards could affect your own work area. A more detailed list of hazards is shown on the reverse side of the Hazard Identification Form — Risk 1(00).

Carrying Out a Risk Assessment

This involves examining the workplace and systems of work to identify the hazards and potential loss making situations that exist and planning a course of action to eliminate, reduce or control the hazards or situation. The workplace should be examined on a systematic basis covering all areas.

A risk assessment should;

- Address all relevant hazards and risks.
- Identify significant risks.
- Identify those substances, equipment, processes or work organisation that have the potential for harm
- Assess the risks from identified hazards.

- Identify the legal requirements relevant to your area of work and establish the level of competence of your employees.
- Monitor what actually happens in the workplace and if it differs from laid down procedures.
- Consider non-routine operations, e.g. periodic maintenance procedures.
- Ensure all people who may be affected by your work activities are considered, e.g. Employees, visitors. Some groups may be more vulnerable or require special attention, e.g. disabled people, young or inexperienced employees, pregnant employees or visitors, young visitors and members of public.
- Review existing control measures to determine whether they are adequate or not.
- Where workplaces are similar a model assessment may be made.
- Where premises are shared by more than one service or employer you must co-operate to ensure that common risks and the measures to control them are dealt with. Fire evacuation, for instance, will have to include the whole building.

Records

The assessment must be recorded and kept in a readily accessible location. In order that a suitable and sufficient assessment is produced the following information must be recorded;

- The activity/situation.
- The number of persons at risk.
- Vulnerable persons.
- Any serious and imminent risk (in which case written procedures are required and one or more competent persons appointed to carry out the procedures).
- Probability of harm and its realistic severity.
- Relevant health and safety information required by employees/others.
- Additional training requirements.
- Reference to existing control measures and whether these are satisfactory or not. If the control measures documentation is kept in another location reference can be made to this fact.
- Priority of action, timescale for action and person responsible.

Preventative and Protective Measures

These measures will be dependant upon the risks found and any other legal requirements. The following principles should be applied based on Schedule 1 including;

- Elimination.
- Substitution by something less hazardous.
- Automation.
- Mechanisation.
- Enclosure.
- Guarding/segregation of people.
- Safe systems of work.
- Easily understood written procedures.
- Adequate supervision.
- Identification of training requirements.
- Information/instruction.
- Personal protective equipment.

An essential part of the assessment is to review the existing controls and judge whether they are adequate or not and record the findings. It is not necessary to record all the details of the existing controls if this information is contained in other documentation. Reference can also be made to other assessments where they are relevant.

Information on hazards and control measures can be obtained from the Health and Safety Executive and other knowledgeable professional organisations.

Health Surveillance

Risk assessments need to identify where health surveillance is appropriate. Surveillance can improve the health of employees by identifying a disease or a condition related to work or which may arise out of work activities. For further advice contact the Safety Officer.

Monitoring

Assessments and control measures must be reviewed on a regular basis to ensure;

- The assessment is still valid.
- The control measures are still in place and effective.
- There has not been a change in the process, work activity etc, making the assessment invalid.
- Risks can be reduced due to technological progress.

Methods of ensuring validity of assessments include;

- Preventative maintenance inspections to minimise the consequences of potential failure.
- Statutory inspections, tests and examination.
- Safety tours and inspections.
- Safety Representatives inspections.
- Occupational health survey/monitoring.
- Safety audits.

RISK ASSESSMENT PROCEDURE

Element 1, Hazardous Identification Risk 1

Under ‘**Activity**’ list the activity which is to be carried out.

Under the heading ‘**Hazards**’ list each separate process, task, physical item you consider to be a hazard. Look at all possible combinations of hazard and at the more severe outcomes when no controls are in place.

Under the ‘**People in Danger**’ column enter who is at risk from the hazard.

There is a clear need to indicate whether the hazards poses a threat to one or more persons.

Under the ‘**Severity**’ and ‘**Likelihood**’ columns decide on the degree of risk presented by the hazard using the following criteria;

NUMERIC RATING	SEVERITY	
10	Fatal injury/ Multiple Incidents	-Death
8	Fatal injury/ Single Incident	-Death
6	Major injury/ Permanent Disability	-Fractured (including cracked or chipped) bone except fingers, thumbs and toes. -Any amputation where the bone is completely severed either at the time of the accident or surgically some time later. -Dislocation of the shoulder, hip, knee or spine. -Loss of sight of an eye (either permanent or temporary) caused by a penetrating injury, chemical burn or hot metal burn. -Loss of consciousness including electric shock from any electrical circuit or equipment whether or not due to direct or indirect contact. -Any injury which requires the casualty to be resuscitated. -Acute illness requiring treatment or loss of consciousness resulting from absorption of any substance by inhalation, ingestion or through the skin. -Acute illness requiring medical treatment resulting from infected material.
4	Serious injury/ Incident	-Fracture of a bone in a finger, thumb or toe. -Other injuries requiring hospital treatment. -Cuts, severe bruising, strains, sprains, burns/scalds, dislocation (other than those above), foreign body in eye. -Any injury which results in more than 3 consecutive days incapacity to work.
2	Minor injury/ Incident	-Cuts, bruising, small burns/scalds, foreign body in eye which does not require hospital treatment but where the recipient receives in-house treatment and returns to work.

LIKELIHOOD		
10	Certain	Occurs repeatedly; only to be expected
8	Very Likely	Not surprised; could be expected to happen
6	Possible	Capable of occurring at any time
4	Occasional	Irregular; infrequent occurrence
2	Remote	Slight; faint chance of occurrence.

If the judgement is 'remote' this needs to be subject to particular rigorous scrutiny as, in reality, it is a relatively rare situation.

By giving a numeric rating for each column as to how likely a hazard is to cause injury/damage and what the possible severity/consequences would be and then **multiplying the two figures together** you will be able to determine the degree of risk (**Risk Potential**) and whether further assessment is required. The calculated figure should be entered in the **Risk Rating** column.

If the risk rating value is **3 or less** then no assessment will be required.

Risk rating values of **4 and above** require a detailed assessment. These risk rating values should be put into a priority order (largest value has highest priority).

Risk Potential

Decisions as to whether or not action is needed can be made by reference to the following matrix. This should be done assuming any existing controls will fail.

	Certain 10	Probable 8	Possible 6	Occasional 4	Remote 2
Fatality to multiple persons 10	100	80	60	40	20
Fatality of one person 8	80	64	48	32	16
Major injury/permanent disability 6	60	48	36	24	12
Serious injury/incident 4	40	32	24	16	8
Minor injury/incident 2	20	16	12	8	4

	Risk Potential
High Risk (H)	40-100
Medium Risk (M)	24-36
Low Risk (L)	20 or below

Where the risk potential number is the same, the severity of the injury and then the number of persons at risk should be considered to determine the **Priority Order**.

Element 2, Control Measures (Risk 2) (00)

Having completed the first element, record as much information as is currently available to control the hazard. This may include a reference to best practice which includes various documents, additional training requirements identified and in many instances a more detailed assessment. This information should then be entered in the '**Control Measures**' column.

If you do identify a need for more specialised assessments you should select the necessary forms from the appropriate guidance document e.g. COSHH, Manual Handling etc and complete them.

Follow Up Action

Having completed any assessment it is important to inform the relevant person/department, responsible for the assessment, of any identified additional action required.

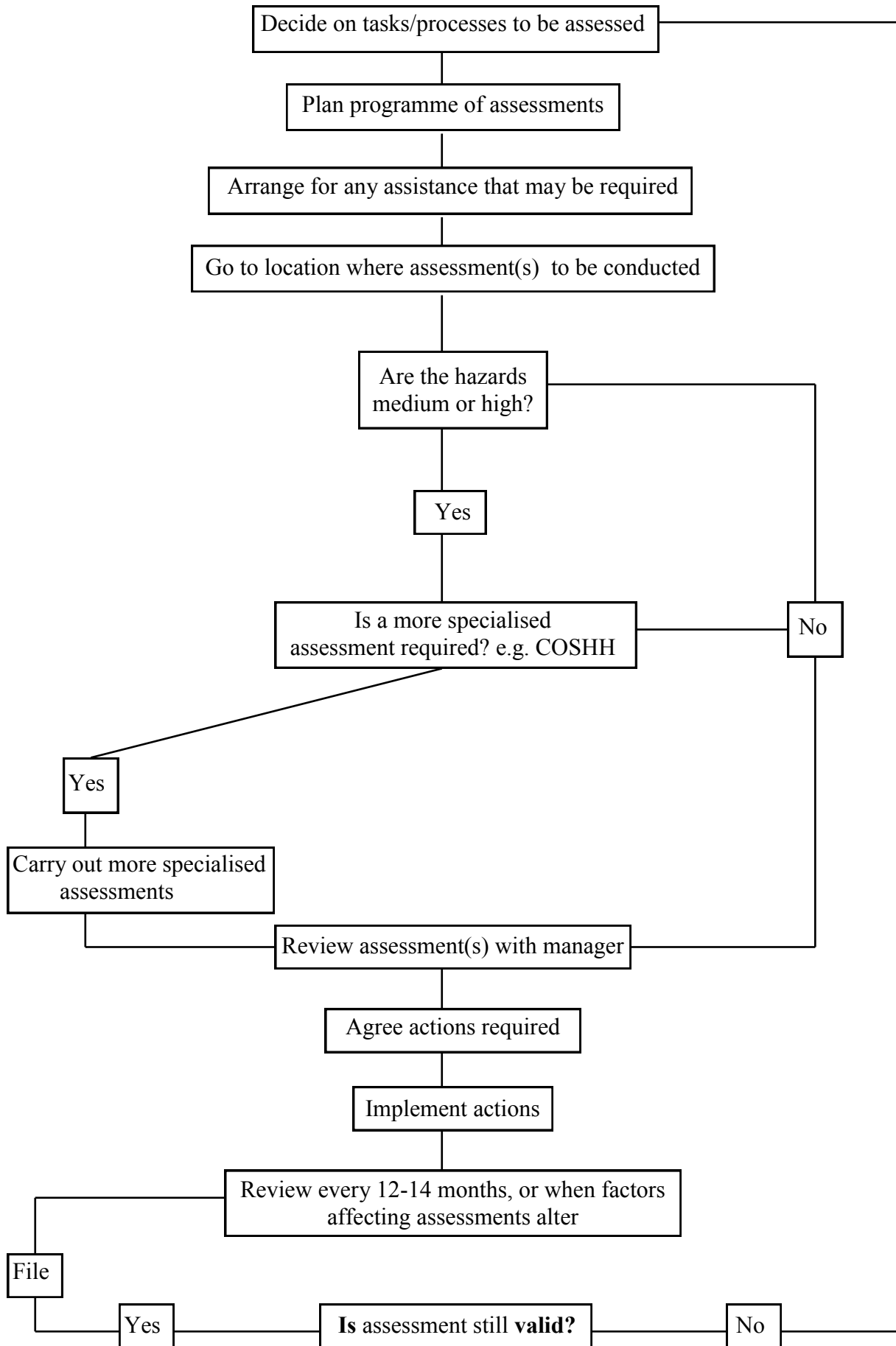
It is not sufficient to pass the assessment over to a person/department and leave them to 'get on with it'.

If there is a significant risk and control measures cannot be achieved at the time of the assessment, adequate steps must be taken in the interim to minimise the risk.

Compliance with the assessment will be subject to audit.

Assessments should be reviewed every 12-14 months unless a change occurs which puts the validity of the assessment in doubt. In such a situation the review should be carried out at that time.

PROCESS FLOWCHART



POTENTIAL HAZARDS

Hazards

Statistically, accidents generally fall into one of the following 8 categories;

1. Striking against objects
2. Falling or tripping
3. Falling objects
4. Access to/egress from
5. Using hand tools
6. Manual handling
7. Skylarking/horseplay
8. Children at play during school activities.

The following list details the hazards which may need to be considered when carrying out risk assessments. It is not a comprehensive list but is given to illustrate the extensive nature of the hazards which may need to be taken into account.

Mechanical hazards:

Crushing
Cutting/shearing
Entanglement
Drawing in/trapping
Impact
Stabbing
Slip/trap/fall
Abrasion
High pressure injection

Workplace hazards:

Highly repetitive actions
Stressful postures
Significant force e.g. manual handling
Mental overload/stress
Visual fatigue
Inadequate rest breaks
Poor shift arrangements
Other

Radiation hazards:

Lasers
Ionising radiation
Non-ionising radiation
Other

Electrical hazards:

Direct contact
Indirect contact
Short circuit/overload
Source of ignition
Other

Hazardous substances:

Toxic fluids/gases/mists/fumes/dust
Other flammable fluids/gases/mists/fumes
Flammable dusts
Explosive substances
Biological hazards
Micro-biological hazard
Other

Environmental hazards:

Localised cold surfaces
Localised hot surfaces
Cold ambient temperature
Hot ambient temperature
Poor ventilation
Excessive noise & vibration
Poor rest/relief area
Poor ambient lighting
Poor localised lighting
Drowning

SCHEDULE 1 - HIERACHY OF CONTROL MEASURES

1. Avoid the risks.
2. Evaluate the risks that cannot be avoided (e.g. carry out a risk assessment).
3. Combat the risks at source.
4. Adapt the work to the individual.
5. Adapt to technical progress.
6. Replace dangerous items, processes, etc with those that are less dangerous.
7. Develop a coherent overall prevention policy.
8. Give collective protective measures priority over individual protective measures.
9. Give appropriate instructions to employees.

The following may assist in the interpretation of the Schedule:

- A. Elimination.
- B. Substitution by something less hazardous.
- C. Automation.
- D. Mechanisation.
- E. Enclosure.
- F. Guarding/segregation of people.
- G. Safe systems of work.
- H. Easily understood written procedures.
- I. Adequate supervision.
- J. Identification of training requirements.
- K. Information/instruction.
- L. Personal protective equipment.

Documentation can include:

- I. Legislation.
- II. Approved Codes of Practice.
- III. Product Information.
- IV. BSI/CE information.
- V. Industry/Trade Association advice.
- VI. Personal knowledge and experience.
- VII. Accident/incident/ill health data.
- VIII. SSU Guidance Documents.

THE REGULATIONS

List of Regulations:

The legislation is arranged into a standard format and comprises 30 Regulations:

1. Citation, commencement and interpretation.
2. Disapplication of these Regulations.
3. Risk assessment.
4. Principles of prevention to be applied.
5. Health and safety arrangements.
6. Health and safety surveillance.
7. Health and safety assistance.
8. Procedures for serious and imminent danger and for danger areas.
9. Contacts with external services.
10. Information for employees.
11. Co-operation and co-ordination.
12. Persons working in host employers' or self-employed persons' undertakings.
13. Capabilities and training.
14. Employees duties.
15. Temporary workers.
16. Risk assessment in respect of new or expectant mothers.
17. Certificate from registered medical practitioners in respect of new or expectant mothers.
18. Notification by new or expectant mothers.
19. Protection of young persons.
20. Exemption certificates.
21. Provisions as to liability.
22. Exclusions of civil liability.
23. Extension outside Great Britain.
24. Amendment of the Health and Safety (First Aid) Regulations 1981.
25. Amendment of the Offshore Installations and Pipeline Works (First Aid) Regulations 1989.
26. Amendment of the Mines Miscellaneous Health and Safety Provisions Regulations 1996.
27. Amendment of the Construction (Health, Safety and Welfare) Regulations 1996.
28. Regulations to have effect as health and safety regulations.
29. Revocations and consequential amendments.
30. Transitional provisions.

The Schedules:

1. General principles of prevention.
2. Consequential amendments.

Precis of the Regulations

Regulations 1 and 2 are self explanatory.

Regulation 3:

1. Every employer shall make a suitable and sufficient assessment of the risks to the health and safety of his employees and persons affected by his undertaking, and comply with other relevant statutory provisions.
2. Places a duty on the self employed to carry out assessments as above.
3. Review the assessment when it is suspected that it is no longer valid or there has been a change in circumstances.
4. An employer who employs a young person must make an assessment.
5. An employer who employs a young person shall take particular account of:
 - * the inexperience, lack of awareness and immaturity;
 - * the fitting out and layout of the workplace/workstation;
 - * the nature, degree and duration of exposure to physical, biological and chemical agents;
 - * the form, range and use of work equipment and the way in which it is handled;
 - * the organisation of processes and activities;
 - * the extent of health and safety training;
 - * EC Directive on the risks from agents, processes and work.
6. Where the employer employs five or more employees he must record the significant findings and any employees especially at risk.

Regulation 4:

When an employer implements any preventative and protective measures it shall be on the basis of the hierarchical controls detailed in Schedule 1.

Regulation 5:

An employer must make adequate arrangements regarding the size and nature of his activities regarding planning, organisation, control, monitoring and review of the assessment.

Regulation 6:

Health surveillance must be provided when the assessment shows it is necessary.

Regulation 7:

Competent persons must be appointed to assist the employer to comply with the requirements of the Regulations and sufficient information and time must be given to them to enable them to carry out this duty. It is preferable for the competent person to be in the employer's employment in preference to a competent person from outside the organisation.

Regulation 8:

Procedures must be established for dealing with serious and imminent danger and competent persons must be appointed to implement procedures, particularly evacuation. An employer must also prevent employees entering danger areas unless they have been adequately trained and informed of the nature of the hazard beforehand.

Regulation 9:

Arrangements must be made for contact with external services especially first aid, emergency medical work and rescue work.

Regulation 10:

Requires information found by the assessment to be made available to employees and parents of employed children.

Regulation 11:

All employers, and the self employed, who share a workplace must co-ordinate with each other and co-ordinate matters of mutual health and safety.

Regulation 12:

A duty is imposed upon the employer, or self employed, to provide information to anyone working in the host employers' undertaking.

Regulation 13:

Employers are required to take into account employees' capabilities when allocating work and must provide adequate training both on induction and subsequent training. This has added implications for young persons and children.

Regulation 14:

A duty is imposed on the employee to use equipment and training provided to avoid injury to him/herself and to notify the employer of any dangerous situation.

Regulation 15:

Places a duty on an employer and the self employed to temporary workers and requires that such workers are fully informed of health and safety matters shown in the assessment **before** the person commences work.

Regulation 16:

Requires the introduction of measures to encourage improvements in health and safety at work of pregnant workers and those who have recently given birth or are breastfeeding. To avoid risk it may be necessary to re-deploy the worker or suspend the worker from work, subject to the provisions of section 67 of the Employment Rights Act 1996.

Regulation 17:

An employer shall suspend a new or expectant mother from night work if so directed by a doctor's or midwife's certificate.

Regulation 18:

An employer need not take any action unless an employee has informed him that she is pregnant or has given birth within six months or is breastfeeding.

Regulation 19:

Every employer shall ensure that any employed young persons employed by him will be protected taking into account their lack of experience, awareness of risk, maturity and working environment.

Regulation 20:

The Secretary of State for Defence may issue exemption certificates in the interests of national security.

Regulation 21:

An employer is responsible for the act or default of any employee or a person appointed by him.

Regulation 22:

Any breach of these Regulations shall not confer a right of civil action.

Regulation 23:

Details the activities outside Great Britain to which these regulations apply.

Regulation 24:

Refers to the amendment of the Health and Safety (First Aid) Regulations 1981.

Regulation 25:

Refers to the amendment of the Offshore Installations and Pipeline work (First Aid) Regulations 1989. Reg-

Regulation 26:

Refers to the amendment of the Mines Miscellaneous Health and Safety Provisions Regulations 1995. Reg-

Regulation 27:

Refers to the amendment of the Construction (Health, Safety and Welfare) Regulations 1996.

Regulation 28:

Those parts of the Management Regulations that impose requirements concerning general fire precautions shall continue to be enforced by the fire authorities.

Regulation 29:

Refers to revocations and amendments.

Regulation 30:

Refers to transitional provision.

Precis of the Schedules

Schedule 1:

Details the hierarchical risk control measures and now stipulates the following principles of prevention.

1. Avoid the risks.
2. Evaluate the risks that cannot be avoided (e.g. carry out a risk assessment)
3. Combat the risks at source.
4. Adapt the work to the individual.
5. Adapt to technical progress.
6. Replace dangerous items, processes etc with those that are less dangerous.
7. Develop a coherent overall prevention policy.
8. Give collective protective measures priority over individual protective measures.
9. Give appropriate instructions to employees.

These control measures are now a legal requirement.

Schedule 2:

Refers to the amendments in other regulations.