

## Information Pack

### Unit 321

# Understanding Health and Safety in the Workplace



## INTRODUCTION

As part of managing the health and safety in an organisation, you must control the risks in your workplace. To do this you need to think about what might cause harm to people and decide whether you are taking reasonable steps to prevent that harm.

Health and Safety (H&S) is evident in all organisations and has been put in place to help prevent people from being harmed by work activities or becoming ill due to the workplace. Its aim is to aid the organisations in identifying hazards and taking the right precautions which would result in the provision of a satisfactory working environment.

A good risk management strategy will help ease some of the tension associated with planning for the unknown. Here, we outline the various stages of risk management.

This process is known as risk assessment and it is something you are required by law to carry out. A risk assessment is not about creating huge amounts of paperwork but rather about identifying sensible measures to control the risks in your workplace. You are probably already taking steps to protect your employees, but your risk assessment will help you decide whether you have covered all you need to.

SAMPLE

## GUIDANCE

This document is prepared to break the unit material down into bite size chunks. You will see the learning outcomes above treated in their own sections. Therein you will encounter the following structures;

### Purpose

Explains *why* you need to study the current section of material. Quite often learners are put off by material which does not initially seem to be relevant to a topic or profession. Once you understand the importance of new learning or theory you will embrace the concepts more readily.

### Theory

Conveys new material to you in a straightforward fashion. To support the treatments in this section you are strongly advised to follow the given hyperlinks, which may be useful documents or applications on the web.

### Example

The examples/worked examples are presented in a knowledge-building order. Make sure you follow them all through. If you are feeling confident then you might like to treat an example as a question, in which case cover it up and have a go yourself. Many of the examples given resemble assignment questions which will come your way, so follow them through diligently.

### Question

Questions should not be avoided if you are determined to learn. Please do take the time to tackle each of the given questions, in the order in which they are presented. The order is important, as further knowledge and confidence is built upon previous knowledge and confidence. As an Online Learner it is important that the answers to questions are immediately available to you. Contact your Unit Tutor if you need help.

### Challenge

You can really cement your new knowledge by undertaking the challenges. A challenge could be to download software and perform an exercise. An alternative challenge might involve a practical activity or other form of research.

### Video

Videos on the web can be very useful supplements to your distance learning efforts. Wherever an online video(s) will help you then it will be hyperlinked at the appropriate point.

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**SAMPLE**

## Health and Safety and Risk Management

H&S working practice is governed by Acts of Law, Regulations, Approved Codes of Practice (ACoPs) and Guidance.

Definitions are:

- **Act** is the Law (overarching rules e.g. HASAWA)
- **Regulations** are also laws, usually made under HASAWA. Usually goal setting, though sometimes have an absolute requirement.
- **Approved Codes of Practice (ACoPs)** are published from time to time containing guidance, examples of good practice and explanations of the law. It holds special legal status and places a burden of proof on duty holder.
- **Guidance** interprets the law, helps people comply & gives technical advice but is not compulsory.

The Health and Safety Executive (HSE) and their subsidiary departments (e.g. ONR) is the body responsible for health and safety policy and is responsible for enforcement of health and safety law. They:

- Promote safer working practices, advising employers and workers on health and safety.
- Employs inspectors. HSE inspectors and local council environmental health officers together have divided up responsibility for inspecting several types of workplaces. But they each enforce health and safety law in the same way.
- Health and Safety (H&S) is evident in all organisations and has been put in place to help prevent people from being harmed by work activities or becoming ill due to the workplace. Its aim is to aid the organisations in identifying hazards and taking the right precautions which would result in the provision of a satisfactory working environment.
- The basis of UK H&S Law is the Health and Safety at Work Act (HASAWA) 1974. This sets out the general principles of H&S compliance and is supplemented by various Regulations, some of which apply to all industries and some of which apply to specific industries, types of premises or specific health and safety issues.

## Health and Safety at Work

The Health and Safety at Work Act 1974 (HASAWA) has evolved constantly since it was first introduced in 1974, considering changing working practices, technology and the workplace itself.

It lays down wide-ranging duties on employers to protect the 'health, safety and welfare' at work of all their employees. However, these duties are qualified with the words 'so far as is reasonably practicable'. This means that employers can argue that the costs of a safety measure are not justified by the reduction in risk that the measure would produce.

The HASAWA allows the government to issue Regulations, Guidance and Approved Codes of Practice for employers. These set out detailed responsibilities for your employer in every aspect of workplace health and safety, from working safely with computers, to stress and hazardous chemicals.

- The HASAWA set up the Health and Safety Executive (HSE) to be an inspectorate.
- The Act introduced new powers and penalties for enforcement against employers.
- The Act puts occupational safety at the heart of official policy and future Regulations.

### Health and Safety Law

Employee legal rights to health and safety at work are found in a range of legislation and legal rights:

- The Health and Safety at Work Act 1974. This sets out the employer's statutory duties.
- Regulations, guidance and Approved Codes of Practices (ACoPs) made under this Act. These cover work processes e.g. using a computer or manual handling and cover specific hazards e.g. working with chemicals. Employers must comply with Regulations and are expected to apply other advice and guidance.
- Employment rights legislation. These are the employment protection rights.
- Employee common law rights. These are basic legal duties on the employer.
- Employee employment contract, staff handbook and company procedures.