



Telford & Wrekin
Co-operative Council

**Protect, care and invest
to create a better borough**

HEALTH AND SAFETY STARTER PACK FOR SMALL BUSINESSES

Health Protection
Darby House
Lawn Central
Telford
TF3 4JA

food@telford.gov.uk

https://www.telford.gov.uk/info/20502/health_and_safety

This information pack has been produced by Telford and Wrekin Council to assist you in complying with your legal responsibilities under health and safety legislation.

The contents are relevant to both yourself and your employees and so it is recommended that you share this pack with your staff and keep it for future reference.

Please note, the legislation and guidance mentioned is not an exhaustive list, and depending on the nature of your business there may be additional health and safety legislation to consider.

If you require any further information please do not hesitate to contact the Food, Health and Safety Team on the telephone number on the front of the pack.

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Health and Safety Policy

Legislation: Health and Safety at Work etc Act 1974

<https://www.legislation.gov.uk/ukpga/1974/37/contents>

Requirements:

If 5 or more people are employed, a written statement of the Company's health and safety policy is required. It should state the general policy on health and safety; describe the organisation and arrangements for carrying out the policy. It should be brought to the attention of all employees and revised whenever appropriate.

What you have to do:

If 5 or more people are employed, a written statement of the Company's health and safety policy is required. The written statement must:-

- State your general policy on health and safety
- Describe your organisation and arrangements for carrying out your policy;
- Be brought to the notice of all your employees;
- Be revised whenever appropriate, and every revision must be brought to your employees' attention.

Guidance for writing a policy can be found here:

<https://www.hse.gov.uk/simple-health-safety/policy/index.htm>

Health and Safety poster/leaflet

Legislation: The Health and Safety Information for Employees Regulations 1989

<https://www.legislation.gov.uk/ukxi/1989/682/contents>

Requirements:



The Health and Safety Information for Employees Regulations 1989 to display the approved Health and Safety Poster or give each employee an approved leaflet.

The current version of the law poster includes enhanced security features.

If the poster is displayed it must be in a conspicuous position where it is readily accessible to the employee(s) and easily read by the employee(s).

What you have to do:

Either display the approved Health and Safety poster (ISBN: 0 7176 234935) or give each employee an approved leaflet (ISBN: 0 7176 17025). These are available from HSE Books or from downloading it from

<http://www.hse.gov.uk/pubns/books/lawposter.htm>

Your Enforcing Authority:

Telford and Wrekin Council
Health Protection
Darby House Lawn Central
Telford
TF3 4JA
Telephone: 01952 381818

Your Local Employment Medical Advisory Service Office:

1 Hagley Road Birmingham B16
8HS
Telephone 0121 607 6200

Risk Assessment

Legislation: Management of Health and Safety at Work Regulations 1999.

Requirements:

Under the above regulations you are required to make a suitable and sufficient assessment of the risks to the health and safety of your employees to which they are exposed whilst they are at work; AND the risks to the health and safety of persons not in your employment arising out of or in connection with the conduct by your undertaking.

If you employ five or more employees, you **MUST** record the significant findings of the assessment; and any group of your employees identified by it as being especially at risk.

Whoever carries out these risk assessments must be 'competent'. A 'competent person' should have a knowledge of the works areas and the safety rules that apply, including when they are being met and what remedial action is necessary.

What you have to do:

The main requirement is that employers with 5 or more staff must make a written record of the significant risks to employees or others (e.g. customers) and the procedures put in place to guard against or protect against those risks.

The 5 steps to risk assessment:

Step 1: Identify the Hazard

In order to carry out a risk assessment yourself, walk around your workplace and look afresh at what could reasonably be expected to cause harm, look at any past accident or ill health records and ask your employees what they think as they may have noticed things which are not immediately obvious.

Step 2: Assess the risks

Once you have identified the hazards, decide how likely it is that someone could be harmed and how serious it could be. This is assessing the level of risk.

Step 3: Control the risks

When you have identified a risk, consider how it is controlled or could be controlled. Ideally you should eliminate it altogether. Make a record of the risk and the control measures.

Step 4: Record your findings

If you employ 5 or more people, you must record your significant findings, including.

Step 5: Review the controls

You must review the controls you have put in place to make sure they are working.

For more information on carrying out risk assessments, visit the HSE website here: <https://www.hse.gov.uk/simple-health-safety/risk/index.htm>

Example Risk Assessments

The HSE have also produced example risk assessments for particular types of businesses on their website, please use the following link

<https://www.hse.gov.uk/simple-health-safety/risk/risk-assessment-template-and-examples.htm>

If your industry is not listed, pick the one closest to it and adapt it for your workplace.

First Aid Provision

Legislation: Health and Safety (First Aid) Regulations 1981

<https://www.legislation.gov.uk/ukxi/1981/917/regulation/3>

Requirements:

The Health and Safety (First-Aid) Regulations 1981 require employers to provide adequate and appropriate equipment, facilities and personnel to ensure their employees receive immediate attention if they are injured or taken ill at work. These Regulations apply to all workplaces including those with less than five employees and to the self-employed.



What is 'adequate and appropriate' will depend on the circumstances in the workplace. This includes whether trained first-aiders are needed, what should be included in a first-aid box and if a first-aid room is required. Employers should carry out an assessment of first-aid needs to determine what to provide.

The Regulations do not place a legal duty on employers to make first-aid provision for non-employees such as the public or children in schools. However, HSE strongly recommends that non-employees are included in an assessment of first-aid needs and that provision is made for them.

Further guidance can be found making adequate and appropriate provision for first aid in First aid at work:

<https://www.hse.gov.uk/pubns/books/l74.htm>

Workplace Accidents

Legislation: The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).

<https://www.legislation.gov.uk/uksi/2013/1471/contents>

Requirements:

Employers, self-employed persons or persons in control of work premises, are required under RIDDOR to report some work related accidents, diseases and dangerous occurrences. Reporting accidents and ill health at work is a legal requirement.

The information enables the Health and Safety Executive (HSE) and local authorities to identify where and how risks arise and to investigate serious accidents.

They must report all the following:

- A death or major injury
- An over seven-day injury (that is when an employee or self-employed person has an accident at work and is unable to work for over seven days, but does not have a major injury).
- A work-related disease; and
- A dangerous occurrence (this is when something happens that does not result in a reportable injury but which clearly could have done.)

What you have to do:

RIDDOR requires an employer, and the self-employed, to notify certain injuries, diseases and dangerous occurrences either 'immediately' or within 15 days:

The following require reporting immediately:

- Death or a major injury (amputation, broken limbs, dislocation)

- Dangerous occurrences such as the accidental release of dangerous substances, or similar incidents etc.
- An accident to a non employee (e.g. a customer) if they are killed or taken immediately to hospital following an accident.

The following must be reported within 15 working days of the incident:

- Injury which results in absence from work for seven days or more such as back and limb injuries due to lifting, contact with moving equipment etc.
- Infections or diseases of the lung or skin resulting from exposure.

How to a report an incident:

All cases are reported to the Incident Contact Centre (ICC), based at Caerphilly, Wales.

All fatalities or major injuries need to reported immediately by phone to the ICC (telephone number is 0845 300 9923)

All other accidents should be reported via the Internet. The following link will take you to the correct page on the HSE website, where you will find the relevant forms: <https://www.hse.gov.uk/riddor/>

Lifting and Handling

Legislation: The Manual Handling Operations Regulations 1992

<https://www.legislation.gov.uk/uksi/1992/2793>



Requirements:

The Manual Handling Operations Regulations 1992 require employers to avoid the need for hazardous manual handling operations, so far as is reasonably practicable, altogether.

Such operations should be identified as part of the risk assessment required under the Management of Health and Safety at Work Regulations 1999.

A risk assessment for manual handling operations should be carried out if the manual handling task cannot be eliminated and should consider:

- The actual manual handling operation;
- The load;
- The working environment;
- Individual capability

The risks should then be reduced to the lowest level possible and employees should be informed, instructed and trained as to their duties.

Such assessments should be periodically reviewed or when there is a change in circumstances.

What you have to do:

- The employer should:

- Avoid the need for hazardous manual handling, as far as is reasonably practicable;
- Assess the risk of injury from any hazardous manual handling operation that cannot be avoided; and
- Reduce the risk of injury from hazardous manual handling as far as is reasonably practicable

Employees should:

- Make proper use of lifting equipment provided for them;
- Co-operate with their employers on health and safety matters;
- Ensure their activities do not put others at risk.

If you think that your business involves employees undertaking hazardous manual handling operations by law you must carry out a proper risk assessment.

Further information can be found at the following:

<https://www.hse.gov.uk/msd/manual-handling/index.htm>

The HSE have also developed several tools to assist with assessing risk:

Manual Handling Assessment Charts (MAC Tool):

<https://www.hse.gov.uk/msd/mac/index.htm>

Risk Assessment of Pushing & Pulling (RAPP Tool):

<https://www.hse.gov.uk/msd/pushpull/index.htm>

Assessment of Repetitive Tasks of the upper limb (ART tool):

<https://www.hse.gov.uk/msd/uld/art/index.htm>

Health, Safety and Welfare

Legislation: Workplace (Health, Safety and Welfare) Regulations 1992

<https://www.legislation.gov.uk/ukxi/1992/3004/contents>

Requirements:

The Workplace (Health, Safety and Welfare) Regulations 1992 will apply to your premises. The Regulations set general requirements in four areas:

- **Work Environment** = suitable temperatures, lighting, ventilation etc;
- **Safety** = escalator safety, traffic routes, windows, doors and floor safety, falling objects etc;
- **Facilities** = toilets, drinking water, washing and eating facilities, changing areas, clothing storage etc; and
- **Housekeeping** = cleanliness, maintenance, waste removal etc

What you need to do:

The Workplace (Health, Safety and Welfare) Regulations 1992 apply to the majority of workplaces including shops, offices, hotels, places of entertainment, restaurants, cafes, takeaways and warehouses/wholesalers.

These regulations aim to ensure that workplaces meet the health, safety and welfare needs of employees which may include people with disabilities.

Workplace Temperature

During working hours, the temperature in all workplaces inside buildings shall be reasonable. Temperatures should normally be at least 16°C. However, if work involves physical effort, it should be at least 13°C. If it is not reasonably comfortable throughout the workroom, local heating/ventilation should be provided. In extremely hot weather, fans and increased ventilation may be necessary.

Toilets

Suitable and sufficient toilets must be provided at readily accessible places for staff. They and the rooms containing them should be kept clean and be adequately ventilated and lit.

If you have 5 or more employees on the premises at any one time, separate facilities must be provided for men and women.

Washing Facilities

Washing facilities with hot and cold running water; enough soap or other washing agents; a basin large enough to wash hands; and a means for drying hands, e.g. paper towels or a hot air dryer, must be provided in the immediate vicinity of every toilet, whether or not facilities are provided elsewhere.

Drinking Water

Drinking water must be provided to all persons at work in the workplace and drinking vessels provided unless drinking fountains are used.

Rest Areas

Suitable and sufficient rest facilities shall be provided at readily accessible places, and should have sufficient seats with backrests and tables.

They must include suitable facilities to eat meals where meals are regularly eaten in the workplace and where the food would otherwise be likely to become contaminated.

Further information can be found at the following:-

www.hse.gov.uk/pubns/indg244.pdf

Hours of Work

Legislation: The Working Time Regulations 1998

<https://www.legislation.gov.uk/ukxi/1998/1833/contents>

Requirements:

The Working Time Regulations 1998 relate to the following:

- The number of hours that employees work;
- Working at night;
- The provision of rest periods including daily rest, weekly rest breaks;
- Paid annual leave.

These regulations apply to all workers. A worker is someone who is paid to work for an employer. They do not apply to the genuinely self-employed or volunteers.

However, employers have a general duty under the Health and Safety at Work etc Act 1974 to ensure so far as is reasonably practicable, the health, safety and welfare at work of all employees. This means that employers cannot require their staff to work excessive hours or unsuitable shift patterns likely to lead to ill health or accidents caused by fatigue.

What you have to do:

You must ensure that staff are allowed adequate rest periods in order to reduce the risk of accidents and hopefully increased productivity; and you need to consider the requirements of the Working Time Regulations 1998.

Further information can be found at the following:-

<https://www.hse.gov.uk/contact/faqs/workingtimedirective.htm>

VDU's and other similar equipment

Legislation: The Health and Safety (Display Screen Equipment) Regulations 1992

<https://www.legislation.gov.uk/uksi/1992/2792>

Requirements:



The Health and Safety (Display Screen Equipment) Regulations 1992 state that employers must analyse all workstations and employee work routines to assess the risks to health.

Actual 'users' should be identified and then informed and instructed and trained on:

- Work station ergonomics
- Work breaks/routines
- Arrangements for eye/eyesight tests

All 'users' of VDU's or similar are entitled to an appropriate eye/eyesight test upon request. It is your duty to inform 'users' of the arrangements you have made to comply with these Regulations, e.g. contract with a local optician.

Further information can be found at <https://www.hse.gov.uk/msd/dse/>

And www.hse.gov.uk/pubns/books/hsg90.htm

Personal Protective Equipment

Legislation: Personal Protective Equipment at Work Regulations 1992

<https://www.legislation.gov.uk/ukxi/1992/2966/contents>

Requirements:

The minimum health and safety requirements on the provision and use of personal protective equipment are contained in the Personal Protective Equipment at Work Regulations 1992.

Requirements include an assessment (and review) of suitability, provision and compatibility, efficient maintenance, appropriate accommodation when not in use, as well as adequate information, instruction and training for employees on the use of such equipment and their duties.

Further information can be found at
<https://www.hse.gov.uk/pubns/books/l25.htm>

Fire Safety for Small Businesses

Shropshire Fire and Rescue provide advice for all fire safety related matters. They can be contacted on 01743 260260

See their guidance and advice page for more info:
<https://www.shropshirefire.gov.uk/guidance-and-advice>

Gas and Electricity

Gas and electricity must be maintained in a safe condition. Employers and employees must ensure that all systems shall be maintained so as to prevent, so far as is practicable, danger. All work on Gas must be carried out by a GasSafe registered person. You can check the register at www.gassaferegister.co.uk

Further guidance on electricity at work is available at
<https://www.hse.gov.uk/gas/employers.htm> and
<http://www.hse.gov.uk/pubns/indg231.pdf>

Control of Substances Hazardous to Health (COSHH)

Legislation: The Control of Substances Hazardous to Health (COSHH) Regulations 2002

<https://www.legislation.gov.uk/uksi/2002/2677/regulation/7>

Requirements:

Employers have duties under these regulations to assess the hazardous substances, prevention or control of exposure, use of control measures and maintenance, examination and test of control measures, monitoring exposure at the workplace, health surveillance, information training and instruction for all people coming into contact with these substances.

Further guidance is available at

<http://www.hse.gov.uk/pubns/indg136.pdf>

Legionella:

Under The Health and Safety at work Act and The Control of Substances Hazardous to Health, employers are also required to risk assess and control exposure to Legionella.

Further information on this can be found here:

<https://www.hse.gov.uk/legionnaires/>

And <https://www.hse.gov.uk/pubns/books/l8.htm>

Asbestos

Legislation: The Control of Asbestos Regulations 2012

<https://www.legislation.gov.uk/ukxi/2012/632/contents>

Requirements:

If as part of your business you are the building owner, landlord for the premises, or person or organisation with clear responsibility for the building's maintenance or repair, then you are classed as the “dutyholder” and have a legal duty to manage asbestos and protect those that work in or use the building.

What you need to do:

- If you suspect asbestos could be present in your building, you must arrange an asbestos survey. If asbestos is present you need to:
 - Make a register and assess the risk
 - Write, follow and review regularly your asbestos management plan
 - Provide information to anyone who might disturb the asbestos

More information on managing asbestos can be found here:

<https://www.hse.gov.uk/asbestos/duty/index.htm>

And: <https://www.hse.gov.uk/pubns/books/l143.htm>

Some work on asbestos requires a license, and some non-licensable work still requires notification. More information on types of work and the requirements can be found here:

<https://www.hse.gov.uk/asbestos/licensing/licensed-contractor.htm>

Noise at Work

Legislation: The Control of Noise at Work Regulations 2005

<https://www.legislation.gov.uk/uksi/2005/1643/contents>

Requirements:

The Control of Noise at Work Regulations 2005 (the 'Noise Regulations') require you to eliminate or reduce risks to health and safety from noise at work.

Depending on the level of risk, you should:

- take action to reduce the noise exposure; and also
- provide your employees with personal hearing protection.

Other duties under the Regulations include the need to:

- make sure the legal limits on noise exposure are not exceeded;
- maintain and ensure the use of equipment you provide to control noise risks;
- provide your employees with information, instruction and training; and
- carry out health surveillance (monitor workers' hearing ability).

More information on this can be found here:

<https://www.hse.gov.uk/pubns/books/l108.htm>

And: <https://www.hse.gov.uk/pubns/indg362.htm>

Employers Liability/Public Liability Insurance

Legislation: Employers' Liability (Compulsory Insurance) Act 1969

<https://www.legislation.gov.uk/ukpga/1969/57/contents>

Requirements:

By law, employers are required to insure against liability for injury or disease to their employees arising out of their employment - it is compulsory insurance.

Further guidance can be found here:

<https://www.hse.gov.uk/pubns/hse40.htm>