

Guidance for drafting a Health and Safety Policy

These notes set out the key things you need to think about and decide on when you are drafting a new or revised Policy on Health and Safety. It is intended to help you tailor the sample Health & Safety Policy to suit your own organisation. Every care has been taken to ensure the information given is accurate and based on current law and best practice. Each of the Policies and Guidance notes are intended for guidance only and are not a substitute for professional advice. The author, Law at Work, Scottish Council for Voluntary Organisations or the Big Lottery Fund cannot accept any claims arising from error or misinterpretation. At the end you will find links to documents and websites that will also be useful.

Existing procedures

If you have an existing policy and procedures in place, you should consult with staff about any changes you are making. It is good practice to do this in any case, but may be legally required if your existing policy and procedures are part of the contract of employment, or if you have a formal trade union recognition agreement in place.

Why Have a Policy?

All employers have a legal duty to ensure good standards of health and safety for their employees, volunteers, management committee members and the service users. This will include carrying out risk assessments, providing employers' liability insurance and meeting fire regulations. If you have 5 or more staff there is a legal obligation to have a written Health and Safety Policy and consult with employees or their representatives on policies. It is good practice to have one even if you have less staff, as the employer still has a legal responsibility to provide a safe and healthy working environment. A health and safety policy will help you to prioritise areas for future improvement and clearly show that you value your staff and want to look after their health and safety.

What the law says: the main pieces of H&S legislation

The Health and Safety At Work etc Act 1974, often referred to as HASAW or HSW, is the main piece of UK health and safety legislation. It places a duty on all employers "to ensure, so far as is reasonably practicable, the health, safety and welfare at work" of all their employees. Among other provisions, the Act also requires: safe operation and maintenance of the working environment, plant and systems maintenance of safe access and egress to the workplace safe use, handling and storage of dangerous substances adequate training of staff to ensure health and safety adequate welfare provisions for staff at work.

The Management of Health and Safety at Work Regulations 1999 places a duty on employers to assess and manage risks to their employees and others arising from work activities.

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995, known as RIDDOR, requires employers, the self-employed and people in control of premises, to report work-related deaths, major injuries, work-related diseases and dangerous occurrences.

The Workplace (Health, Safety and Welfare) Regulations 1992 are concerned with the working environment. They place a duty on employers to make sure that the workplace is safe and suitable for the tasks being carried out there, and that it does not present risks to employees and others.

Developing your own Health and Safety Policy

Ideally the statement should be written by people within your organisation – they know the organisation best and how it operates. You can seek assistance and advice externally, but essentially, it should be a policy that is appropriate to the particular needs of your organisation. Involve staff in developing the policy. As well as benefiting from their day-to-day experience of the job, doing so will give you a better chance of getting their commitment to carry out the aims of the policy. Remember that a good H&S policy will contain proactive measures to help build and maintain a healthy and positive workforce. You may, for example, decide to participate in an award scheme such as that run by Healthy Working Lives (see Resources section below).

Setting out a policy

The policy should be set out in such a way that it makes it clear to everyone what is expected of them to comply with the requirements of the policy. In a small organisation it is likely that a simple statement will be suitable. It is also likely that the organisation section of the policy will contain only one or two names, as most of the responsibilities will be allocated to those people.

Aims of a policy

There are no hard and fast rules about the length of the policy. The important thing to remember is to link the aims of the policy to the level of risk. Risk Assessment will determine how explicit you need to be in your arrangements section.

Scope of the policy

In a larger organisation with multiple sites or activities, it is often the case that there is an overarching or corporate policy that covers the general issues and also more detailed policies relating to the individual sites or activities. This can be a useful approach particularly where an organisation has a number of sites where different activities are carried out. It can allow you to tailor the organisation section of the policy to the individual managers of each site.

Informing employees

There are various ways to bring the policy to the attention of employees. If it is short enough, you may decide to give a copy to each employee. It is certainly recommended that you cover health and safety issues during induction. If you are a larger organisation or your policy is fairly lengthy, you could post copies on notice boards or in appropriate places. Whatever you choose to do, you must make sure that you bring the policy to the attention of all employees.

Links with other Policies

Ensure that other related policies and procedures are cross-referenced with the H&S Policy as appropriate. For example, if you have policies on Lone Working, Smoking, Alcohol and Substance Misuse or Stress Management, you should make reference to these in the H&S policy and procedures.

Introducing and Using the Policy

If implementing a new or revised policy, notify all employees by memo or circular, identify the date of implementation and give employees an opportunity to review the policy. Any policy can only be effective if it has been brought to the attention of employees and they follow it. The best approach is not to rely only on a policy but also to educate your employees on the policy and any procedural

aspects. Finally, bear in mind that a policy will not be effective unless it is enforced. An employer cannot turn a blind eye to abuse of an existing policy then expect to suddenly enforce it against one or a number of employees. Such an unfair approach could easily backfire on the employer.

Monitoring and review

Monitoring that the policy is still effective is vital. There are many ways that this can be done, including carrying out spot checks or safety inspections using prepared checklists. More formally, effective monitoring can be achieved through audits and by reviewing management reports and accident investigations.

Risk Assessment

Risk assessment helps you protect your workers and everyone using your organisation. It helps you focus on the risks that really matter, the ones with potential to cause harm. A risk assessment is, as the Health and Safety Executive (HSE) describe: "a careful examination of what, in your work, could cause harm to people.... the aim is to make sure that no one gets hurt or becomes ill". Carrying out a risk assessment is a relatively straightforward process, simply a careful examination of what could cause harm to people, and what precautions need to be taken.

The HSE prescribes a 'Five Step' process:

Based on Guidance for Drafting a Health & Safety Policy by Supporting Voluntary Action.

If you would like more help or advice in relation to this guide please get in touch with us:

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