

Laws and legislation

Law



In this assignment I will write about 13 legislations that relate to health, safety and security. I will write about these in detail and explain what they are and what they do. Legislations are written laws made by an official law making body such as Parliament.

Health and Safety at Work Act (1974) What does this legislation do? This act is all about protecting people at work. It doesn't just protect employers, employees, or self employed – but also the health and safety of the general public who may be affected by work activities. Local authorities and the Health and Safety Executive are responsible for enforcing the act and many other acts that are associated to the working environment. The act applies to a health and social care setting to meet their legal responsibilities, care organisations must:

- Complete health and safety risk assessments.
- Have certain health and safety procedures, for example: fire evacuation procedures.
- To have health and safety equipment like fire extinguishers, fire blankets and fire aid boxes.
- Care settings should have a smoke alarm, fire exits and security features (electronic pads on doors and window guards, for example)
- Make sure the employees are trained and aware to follow health and safety policies and procedures, to use health and safety equipment and safety features correctly.

- To have a variety of health and safety information and signs to alert and warn people about things such as fire exits and first aid equipment. Also, to aware people where the smoking areas are.

Food Safety Act (1990) What does this legislation do? This act is about food safety and consumer protection in a food related workplace. This act makes sure it is illegal to sell food that is inadequate. This act requires people to have good practise with food hygiene in a workplace. People should be aware of storing and preparing food safely. Environmental health inspectors are able to make sure this happens and food is not unfit for human consumption. If the inspectors think the food hygiene are not up to standards then action can be taken such as a letter of improvement or even closure of workplace. Some businesses can be prosecuted for breaching standards.

Food Safety (General Food Hygiene) Regulations (1995) What does this legislation do?

This piece of legislation is for the likes of people who come in contact with food. These regulations aim to stop things such as food poisoning by making sure that:

- Food areas such as a kitchen are clean and personal hygiene is up to standards
- Foods are cooked properly
- Foods are stored at the correct temperature
- Cross-contamination doesn't happen

It is incredibly vital that these aims are followed in a health and social care setting as service user's health and safety is the key point in every way. You would expect to see things such as different chopping boards for raw meat and ready-to-eat foods, the kitchen should be clean with smooth surfaces and there should be a different basin for hand washing and food preparation. Washing hands regularly is important when dealing with food, before touching food, after the toilet and after touching raw meat. If the aims above are not followed correctly it could cause serious infections.

Manual Handling Operations Regulations (1992, amended 2002)

What does this legislation do?

This legislation is all to do with physical activities such as lifting, lowering, pushing, pulling or carrying objects or people. Most accidents that take place in a workplace are due to poor manual handling skills. It's an employer's job to assess the risks in any physical job that consists of manual handling. They must make sure they reduce or avoid any possible risks. To ensure the risks are reduced you must:

- Encourage service users to move independently when they can
- Plan your lift sensibly
- Use lifting aids when service users cannot move independently or when moving heavy objects
- Take care not to twist your body
- Avoid lifting from the floor
- Keep the load close to your body

- Avoid the same types of lifts

This would apply to workers in a health and social care setting. Professionals and workers have a duty of care to make sure service users are safe and lifted properly. Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (1995) (RIDDOR) What does this legislation do?

This piece of legislation makes sure employers inform a variety of occupational injuries, diseases and dangerous events to the Health and Safety Executive or other appropriate authorities. For example, you must report death or major injury (fractures, loss of sight) reportable diseases (hepatitis, meningitis) and dangerous occurrences (fire, collapse of lifting equipment. This applies to a health and social care setting and to ensure this legislation is put in place there must be:

- An accident reporting system must be in place.
- If an employee has an accident and has time off work for more than 3 days it must be reported to the Health and Safety Executive.

When the information is passed on to the local council or the HSE they oversee why, where and how the risks occurred and will investigate serious accidents. They can then help and give advice to organisations on how to prevent these risks in the future.

Data Protection Act (1998)

What does this act do?

This act gives an individual the right to confidentiality of both paper and electronic records. The information that is held should be relevant and appropriate. An individual has the right to:

- Be informed of what personal details or information is been held about them and correct this if it is inaccurate.
- Refuse to provide information
- Have up to date and accurate data help about them
- Have data removed when it is not needed for an organisation to hold it
- Have the confidentiality of their information protected

In a health and social care setting, it is important for a service users details to be secure as it would be very personal and sensitive.

Management of Health and Safety at Work Regulations (1999)

What does this legislation do?

This legislation puts a responsibility on employers. They are reliable for training staff about relevant things to do with health and safety such as fire prevention, moving things and handling issues. Employers must make sure to complete a risk assessment, remove or reduce any health and safety hazards that are recognised and write safe working procedures based on their risk assessment. A risk assessment is carried out to establish dangers and plan how to sort the risk out. Risk assessments should be straight forward for example, in a health and social care setting a care home would be quite simple. It insists that the employers must:

- Make plans for applying

the health and safety measures recognised as necessary by the risk assessment.

- To carry out arrangements, competent people would help such as themselves or company colleagues.
- Organise emergency procedures
- Give clear and simple instructions and information for employees
- Teamwork is important at the same workplace

Control of Substances Hazardous to Health Regulations (2002 (COSHH)

What does this legislation do?

This ensures employers to assess the risk from hazardous substances and take suitable precautions to make sure that hazardous substances are stored and used correctly. COSHH requires employees to:

- Evaluate the risks posed by hazardous substances such as body fluids and sharps
- Formulate and implement precautions to prevent or control exposure to hazardous substances
- Make sure procedures are followed
- Carry out health surveillance to identify early signs of disease
- Arrange plans to deal with accidents, incidents and emergencies
- Ensure staff are adequately trained and supervised

In a health and social care setting, a senior manager would be to consider what substances pose a threat to care staff. The main danger to care workers would be exposure to cleaning chemicals and to body fluids such as blood, urine, faeces, vomit and sputum.

Care Homes Regulations (2001)

What does this legislation do?

This legislation ensures care homes have standards of good practice by having inspections by the Care Quality Commission (CQC). The responsibility is all down to the manager of the home. They must have appropriate leadership and management qualifications; they are also responsible for health and safety at the home. Their job is to:

- Carry out risk assessments
- Inform the CQC if there are any health and safety dangers that affect the wellbeing of people on the premises

This legislation relates to a health and social care setting to ensure the safety and care of service users is up to high standards.

Care Minimum Standards

What does this legislation do?

The Care Standards Act (2000) found National Minimum Standards for care services in 2003. There are different types of care standards for different types of care settings but they all have a health and safety focus.

This relates to a health and social care setting. Each care setting should:

- Complete a risk assessment for every single service user
- Have relevant procedures and policies about security, abuse and neglect, bullying and dealing with complaints.
- Train staff about health and safety

- Have appropriate safety measures in place

The procedures are:

- Ignorance is no excuse
- Read your policies
- Know your procedures
- Keep up to date

Civil Contingencies Act (2004) What does this act do? This act applies to public services dealing with emergencies and accident hazards. Public services should be prepared and ready to deal with any emergencies what so ever. Emergencies include:

- Bad weather conditions
- Terrorist attacks •Industrial
- Major accidents (e. g flu)

This act relates to a health and social care setting to ensure no one has a serious accident if any of the above happen, for example if there was bad weather conditions like snow, an elderly lady could fall.

Fire Precautions (Workplace) Regulations (1997) What does this legislation do? This legislation requires workplaces to: •Implement, monitor and review a fire risk assessment •Plan for an emergency •Give staff information about risks and training in fire prevention and emergency procedures •Select fire officers •Put fire detectors, alarms and emergency lighting in place •Certify there are fire exits signed out clearly •Provide fire fighting equipment

In a health and social care setting, this would be important as service users and staff needs to be safe. In some cases, it would be better to evacuate people, for example those who are sick and fragile. Due to these circumstances the building could be adapted to create safe zones. To hold a fire back for a few hours, fire safety doors would be suitable.

Health and Safety (First Aid) Regulations (1981)

What does legislation do?

These regulations give employers a job to make adequate first aid provision for their employees, in case they become ill or injured at work. Employers must:

- Provide appropriate equipment and facilities to ensure their employees receive immediate attention if they are injured or taken ill at work
- Carry out an assessment of first-aid needs to determine what to provide.

It's important to have certain equipment and facilities in a health and social care setting. A first aid box is important as there would be some kind of accident at some point whether it is serious or small. A first aid box is useful in emergencies. A basic first aid kit may contain:

- Plasters (different shapes and sizes)
- Small, medium and large sterile gauze dressings
- Sterile eye dressings
- Bandages
- Safety pins

- Disposable sterile gloves
- Tweezers • Scissors
- Cleansing wipes
- Sticky tape
- Skin rash cream
- Insect spray or cream
- Antiseptic cream
- Painkillers (paracetamol)
- Cough medicine

M. 1

I have collected 6 policies from my placement Queen Street primary. I am going to describe these policies in my own words and link them to the laws and legislations.

First Aid

In Queen Street primary, supervisors are responsible to deal with any minor accidents such as cuts, scratches and bumps. These accidents should be treated with only water providing they are not too serious. Any serious accidents should be reported to SMS straight away who will then tell the Senior Management team. It's important to have back up as a child shouldn't be left alone injured. This policy links to the Health and Safety (First Aid) Regulations 1981 as equipment should be available in need of an accident and to let professionals know so they can assess what has happened. This

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policy also relates to RIDDOR as you need to let someone know about an accident and part of Queen Street's policy is to let a member of staff know about an accident.

Fire

If there is a fire in Queen Street primary, teachers follow evacuation procedures, if they are in doubt children should be kept out the building until the building is inspected. Children are taught about how to evacuate from a building on a regular basis. There are also fire evacuation notices in every classroom. This policy links to Fire Precautions Regulations 1997 as in this legislation fire signs should be up and Queen Street primary have signs up in every class.

The Yard

When children are playing in the yard, their safety is very important. Teachers should keep on the lookout for any accidents and to make sure climbing frames are secure. This policy links to Health and Safety At Work Act as this legislation is to protect people at work so children should be protected at school too.

Bullying

If a child tells a teacher they are getting bullied by a pupil in the school, the teacher should find out every detail and get two sides of the story from both children. The teacher should not accuse anyone and should refer to another teacher.

Severe Weather In Queen Street, they like to keep the school open as often as possible. On rare occasions there might be snow so in that case the <https://assignbuster.com/laws-and-legislation/>

school might close as the safety of the children is paramount. Teachers should check the safety of the school in the yards to make sure it is suitable or not. They would then make a decision and put it on the Queen Street website. If there is snow but the headmistress feels the school could open then snow would be shovelled to make a path and grit would be put into place. This policy links to the Management of Health and Safety at Work Regulations (1999) as risk assessments and plans should be made to make sure the school is safe to open.

Data Protection

Queen Street primary will not give out any personal details such as your contact details, national curriculum assessment results, attendance, personal characteristics such as your ethnic group, any special educational needs and relevant medical information to the outside world. They are required by law to pass some information about you to the Department for Education (DfE) and, in turn, this will be available for the use of the Local Authority. This policy links to the Data Protection Act as personal information should be private for the child's welfare.