

Legal requirements for health, safety and security of employees



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Explain the legal requirements and regulation for ensuring
 P1 the health, safety and security of those employed in business

Health and safety are “ Regulations and procedures intended to prevent accident or injury in workplaces or public environments”. There are many different acts created to prevent injuries or accidents in the workplace.

Legislation/ What is it? Explain the key
 Regulation features

How is it applied to working conditions in your organisation ?

Manageme The Regulations were
 nt of Health introduced to reinforce the
 and Safety Health and Safety at Work
 at Work Act 1974.

Regulations The act states that employers
 1999 must make arrangements to ensure the health and safety of the workplace, including making arrangements for emergencies. Also employer must provide appropriate information and training for employees about safety and potential risks in the workplace. Health

In Oakland’s college different arrangements to ensure health and safety in the workplace. These arrangements are there to protect students, teachers and other staff working there. For example science students wear lab coats and protective glasses to ensure that they are safe while

conducting experiments. Also there's rules like that, everyone must wash their hands before and after experiments, which protect students. In Oakland's College there's also arrangements for surveillance should be installed where appropriate. emergencies that include fire escapes, fire extinguishers and other. Also all staff is trained to handle fires and how to act in case of fire. At the start of the year there is even a fire drill so that students and staff would know what to do in case of a real fire.

Health and The main goal of Health and

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Safety at Work Act 1974

Safety at Work act is to ensure that organisations and businesses understand their role in ensuring and supporting health and safety in the workplace – as far as is reasonably practicable.

According to this act employers must protect the health and safety of their employees at work. Everyone visiting the business or working there must be protected. The employer must provide a safe place to work, safe system and safe equipment and machinery. They also must appoint and hire only competent people that know the safety regulations and won't commit anything that may be dangerous to others. The employer also must inform all employees of dangerous

hazards and he should carry out risk assessments. After taking the assessment the employer must take steps to eliminate the risk.

Workplace (Health, Safety and Welfare) Regulations 1992 implement the European Commission Workplace Directive. They came into force in January 1993 and encompass a wide range of fundamental health, safety and welfare issues that are applicable to the majority of workplaces. They ensure that requirements are set in the workplace so there are no adverse effects on the health and safety of employees. The duties under the regulations fall to employers and to any other individual who has

control over a workplace.

These include:

- Maintenance of workplace, and equipment, devices and systems
- All facilities must be properly ventilated
- Appropriate Lightning
- Cleanliness and proper disposal of waste materials
- Proper room dimensions and seating

Etc.

Reporting By law it is required for
of Injuries, employers and people who
Diseases are in control of a premises,
and to report specified incidents
Dangerous in the workplace. These can
Occurrence include a wide range of things
s such as dangerous
Regulations occurrences (when a serious
1995 accident was luckily avoided)

all the way to work related deaths. Every incidents must be reported and included in a report. The employer must have a record of every incident that happened in the business. There are some different rules in regards to reporting of injuries:

- A company with more than 10 employees must have an accident book
- RIDDOR records must be kept for a minimum of 3 years after the date of the last incident in the book
- Incidents must be reported within a 10-day timeframe after the occurrence
- It is advised that RIDDOR records are kept for 5-6 years in

order to allow time for
any civil litigation to be
made

Employers need to record this
information when an accident
happens:

- The date of reporting
- The date, time and
location of the incident
- Personal details (name,
job title etc) of the
employers involved
- A description of the
injury, illness or
occurrence

Control of Substances Hazardous to Health 1994 These provide a framework to help protect people in the workplace against health risks from hazardous substances. These substances can be used in the business or may arise from the work. COSHH

requires:

- Assessment of the risks
- Deciding what precautions are needed
- Prevention or control of the risks
- Ensuring that control measures are used and maintained
- Monitoring exposure and health surveillance, where necessary
- Informing, instructing and training employees about the risks and precautions needed.

The assessment of risks is completed by identifying the hazards, evaluating the risks to people and if there's a significant risk, decide on the action needed to remove or reduce them to insignificant levels.

Electricity at Work Regulations 1989

This legislation places legal implications on employers to ensure the safety of electrical devices in the workplace. The regulations say that all portable equipment must be regularly checked to make sure that it is safe to use. This is often referred to as portable appliance testing (PAT). It consists from three parts:

- visual inspection
- earth continuity test
- insulation test

Visual inspection just looks at the outside of the device checking cables, plugs, environment that the device is used in and other parts.

The earth continuity test checks for earth continuity between the plug and the appropriate parts of the

device.

And the insulation test checks the cable for weaknesses and unseen faults. In most workplaces you will see evidence of the testing through a small sticker placed on the device detailing, among other things, the date of inspection and details of who carried out the test.

Display These regulations apply to all
Screen display screens. The main
Equipment requirements are as follows:

Regulations
1992

- Employers must carry out a risk assessment of workstations used by employees to reduce any identified risks.
- Employers must ensure that employees take regular and adequate breaks from looking at

their screens.

- Employers must ensure that employees are aware of their entitlement to yearly eye tests, with the cost of the eye test met by the employer in full. It is recommended that employees take these tests to make sure that their eyes are not getting worse and if they are they will be able to prevent these symptoms.
- Employers must provide their computer users with adequate health and safety training for any workstation they work at. This entails showing employees how to properly adjust their

chairs and desks (if adjustable) and the correct way to sit and work at their workstations.

The Regulations define manual handling as:

“...any transporting or supporting of a load (including the lifting, putting down, pushing, pulling, carrying or moving thereof) by hand or bodily force”.

The load can be any object, person or animal.

Manual Handling Operations Regulations The regulations say that:

- Employees should avoid hazardous manual handling operations so far as is reasonably practicable;
- Assess any hazardous manual handling operations that cannot be avoided;
- Employees should try to reduce the risk of injury so far as is reasonably practicable.

Employers should also provide introduction and how to properly lift objects to new employees.

Data Protection This Act was passed to protect employees and

customers information that was stored by <https://assignbuster.com/legal-requirements-for-health-safety-and-security-of-employees/>

organizations. This Act makes the employers to keep all the workers information, like pay, birth date and others, safe from others. The business also must appoint a data controller to manage the accuracy and validity of information about employees that is held by the business. It is illegal to hold employee information without permission of the Information Commissioner. Data protection Act also says that employees have the right to see all the information the organisation is holding about them.

Computer Misuse Act 1990 According to Computer Misuse Act, it is a criminal offense for anyone to gain access to a computer system to interfere with computerised health and safety records. It is also illegal to hack, purposefully spread malicious and damaging software. The Act also says that all the employees information stored on computers must be protected by employers.

Copyright, Designs and Patent Act 1988 Electronic records, including health and safety records may be the subject of copyright. This means that ownership of the records stays with the business and they are the legal owner of them. This means that no other person other than

the owner of the contents of the record may gain access to them or use them without the owner's permission. This also means that the owner cannot sell the information to other organisations or individuals.

Freedom of Information Act 2000

This act was passed to allow anyone to request copies of the information held about them by public bodies. This is potentially very intrusive for many organisations so certain expectations were included within the Act to protect sensitive information.

Describe the requirements for a healthy and safe workplace, as applied to the psychical environment and equipment used in a selected business

Physical Environment

Describe the requirements for a healthy and safe workplace e. g. how is this applied to your organisation ?

Impact of working environment e. level in the classroom. Also all backpacks must g. potential for falling objects, sharp edges

In Oaklands college safe environment is very important so there's no items stored above head level in the classroom. Also all backpacks must be kept on the ground or under the desk.

and trailing

leads;

Evacuation
assembly
areas

In a event of a event like a fire or explosion it is essential that all staff and student would know what to do. Procedures for an emergency evacuation are learned by all the staff members and put in the evacuation plans that are in every hallway. In Oaklands college at the start of every year there is a fire drill that teaches students and staff how to properly evacuate. Students and staff leave their lessons and make their way to designated evacuation assembly areas. After a while the tutor lets students back in if there's no danger. After these drills everyone knows what they should do if a real fire or other event would happen.

Site building
works

Every time site building works or renovation are happening every person is exposed to new health risks and hazards, so employees must make new risk assessments to make sure no one gets hurt. In Oaklands college when there's any building works on site being completed there are extra safety measures that protect students and

staff.

Off-site work All off-site workers and students are treated the same as on-site workers. They must follow the same Health and Safety rules. Every student that is off-site and, in a lesson, must have a tutor with him that would guarantee his safety.

Organic infestation The invasion of organic pests in the workplace can be offensive, hazardous to employees and students, pests can contaminate food and damage materials. Oaklands college hire contractors to make sure no pests can occupy their facilities. Next to that the college also use different methods to protect their facilities. Some of thee methods are:

- Covering drains and repairing leaking pipework.
- Repairing crack and unsealed areas
- Storing waste safely, to prevent pests.

Vermin infestation Vermin infestation is a very serious issue which can result in an abundance of negatives in the workplace. In Oaklands college employees who carry out risk assessments are familiar with signs of infestation and if they see anything suspicious,

they report it to the employers, which leads to an investigation that will result in a cleaning done by contractors which will eradicate the problem. Oaklands college also tries to prevent infestation by regular cleaning and ventilation.

Dampness and mould

Mould arising from damp conditions may cause employees and students a range of health problems. The employer must do everything he can to prevent mould in the workplace. Oaklands college prevents mould by ventilating facilities properly. This prevents dampness, so the mould can't set in.

Materials e. g. hazardous, waste disposal

Student in Oaklands college usually don't come across hazardous materials but, if they would Oakland college has a policy that helps the college, dispose of these materials safely. Its facilities managers duty to ensure that hazardous materials are correctly identified and disposed of safely.

Disabled access, toilet and hygiene facilities

Every employer must ensure that there are enough hygiene facilities for their staff and customer (students). Oaklands college have enough hygiene facilities for all of their students and staff. All of these are newly done, also all of

these fit the standard and have soap, hand dryers and other. All facilities are regularly cleaned.

Oaklands college have special toilet facilities for people with disabilities. These are also up to standard, but also equipped with:

- Drop-down rails and support rails
- Emergency pull cords
- Accessible wash basin, soap dispenser, toilet paper and paper towels.

In Oaklands college there are few places where people can eat, so Oaklands college is very serious about health and safety in food preparation areas. There are strict rules that every person working with food must follow. The four main areas Oaklands college focuses on are:

Food

preparation

areas

- Personal cleanliness
- Clothing
- Reporting illnesses
- Keeping the premises clean and safe

Also all new employees receive training and have to learn all the rules so they would do everything properly.

All employers must protect the workplace from pests. Oaklands college also have to protect their students and premises from pests. To do that Oaklands college:

- Pest control
- Installs ultraviolet insect killers
 - Secure the building to prevent pests from entering them
 - Sprays insecticides to kill pests

All of this work is done by other firms that college hires, just because pest control is a very important and hard task.

Noise and atmospheric pollution

Noise pollution in Oaklands college is very well managed. Everyone who might be harmed from noise pollution are provided with special gear like ear plugs. Although, most of the students are never in any harm of noise pollution as the campus is fairly quiet and the workshops, where most of the loud noises come from, are further from the main campus.

College also makes sure that everyone is protected from atmospheric pollution. Everyone who might be harmed by air pollution receive safety gear to protect them. Most of the students

do not face any kind of air pollution.

Proper ventilation in Oaklands college is kept by using electric fans and windows. All Facilities have fans and they can be turned manually when somebody thinks they need one.

Temperature and ventilation “ The temperature in workrooms should provide reasonable comfort without the need for special clothing” says official gov. uk website[1].

Oaklands college does exactly that, never in any season staff or students need to wear extra clothing to feel comfortable. In colder seasons heating is turned on and in hotter months fans are used.

Equipment Describe the requirements for a healthy and safe workplace e. g. how is this applied to your organisation?

Safety guards Safety guarding on machines and equipment prevent or reduce access to dangerous areas of the machine. All machine guarding must be of a solid construction, painted in a very visible colour and securely mounted to the plant, to resist impact from operation. All safety guards should be checked at least annually to make sure it's still functioning

properly. In Oaklands College safety guards are only required in the mechanics workshop where students fix cars. There are a lot of machinery that might be dangerous, all of the dangerous machinery has safe guards to prevent injuries.

A warning sign is a type of sign which indicates a potential hazard, obstacle or condition requiring special attention. Some are traffic signs that indicate hazards on roads that may not be readily apparent to a driver others can be loud sounds

Warning signs and sound signals

showing warning. In Oaklands College all over the campus are road signs saying that there is a very strict speed limit. There's a lot of foot traffic in the roads because students go to class or other places. Drivers must be very careful and the College reinforces that with extra road signs. Inside the college there are various signs for student and safety like " Please wash your hands" in science and chemistry labs.

Accessible emergency exits

All buildings in Oaklands College has emergency exists and plans that clearly show all the exits and routes to access them. Also all emergency exits are clearly marked so in case of a fire or other emergency students and staff would know where

the exits are[2]. All exits are not under any kind of a lock. Annually a fire drill is conducted so that students and employees would know how to exit the building quickly and efficiently.

Fire
extinguisher
s or
sprinkler
systems

Fire extinguishers and sprinklers are installed in most buildings. All of them are marked on emergency plans and every employee knows where they are located and knows how to use it. In case of a fire even students have the right to use the fire extinguisher. Sprinklers are installed in all the main buildings and will go off in an event of a fire or if someone pulls the fire alarm.

Maintenanc
e frequency

In order to ensure work equipment does not deteriorate to the extent that it may put people at risk, employers and others in control of work equipment are required by PUWER to keep it 'maintained in an efficient state, in efficient order and in good repair'. Oaklands college says "The maintenance of any place of work under the College's control in a condition that is safe and without risks to health, and the provision and maintenance of means of access and egress to the College that are safe and without such risks."

Protective

Protective clothing is used for health and safety in

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the workplace to protect the person wearing it. In Oaklands College most of the student do not need protective clothing but some students like clothing mechanical and agriculture students, must wear protective clothing while in college. Protective clothing usually are: gloves, boots, hardhats and other.

Role – What

is there role

within a

selected

workplace?

E. g. job

description

Responsibility – What is their responsibility & obligation where H&S is concerned? How this is verified regularly e. g. head counts?

Human

Resource

Director

The HR directors is a very senior role within the business. The HR director has responsibilities that help run the company but also, they have health and safety responsibilities. HR directors responsibilities in Oaklands college:

- HR director is responsible for making the Health and Safety procedures
- HR director must ensure that the workplace is safe to work in.
- HR director must ensure that there are proper

assessments of risks to health and safety. HR director also must make sure that they implement all needed measures and arrangements, that were identified as needed from assessments.

- HR directors are responsible for the smooth and profitable operation of a company's human resources department.
- Usually they supervise and provide consultation to management on strategic staffing plans, compensation, benefits, training and development, budget relations
- HR director is responsible for making sure that all accidents and investigations are recorded.
- HR director is responsible for training of new employees.

Facilities According to British Institute of Facilities

Manager Management, the facilities manager has a huge role in any business. They also say: " At a corporate level, it (role) contributes to the delivery of strategic and operational objectives. On a day-to-day level, effective facilities management provides a safe and efficient working environment, which is essential to the performance of any business, whatever its size and scope". Facilities manager is responsible for

workplace day-to-day environment. Main responsibilities of Facilities Manager in Oaklands College:

- building and grounds maintenance.
- cleaning.
- catering and vending.
- health and safety.
- procurement and contract management.
- security.
- space management.
- utilities and communications infrastructure.
-

Head of Department The Head of the Department must oversee the staff Department and implement strategies to increase productivity.

These managers also conduct training and seminars to motivate and build the skills of their team members. It is their jobs to produce methods that will benefit the department and by extension the business. They support business efforts and implement company changes. In Oaklands college the prime role of the Head of an Academic Department is to provide strong academic leadership. The Head of Department is required to lead, manage and develop the department to

ensure it achieves the highest possible standards of excellence in all its activities. In Oaklands college the Head of the Department also must carry out risk assessments in their department area to make sure every student and staff member is safe. Also, when an accident happens in the department it must be reported to the Head of the department.

The majority of responsibility for health and safety in the workplace is placed on directors, managers and heads of departments. But individual students have responsibilities too. First of all students in college have a duty to take care of their own health and safety and that of others who may be affected by your actions at college. All students are entitled to study in environments where risks to their health and safety are properly controlled. Under health and safety law, the primary responsibility for this is down to people who run the college. If a student in Oaklands college have queries or concerns regarding health and safety they can talk to their tutors and they will explain everything.

Individual Employee First Aider is a person responsible for giving emergency treatment to employees injured in a workplace. Often First Aider just keeps the injured

person safe till more medical professionals can arrive. Every workplace must have a properly trained First Aider and a suitably stocked first aid.

In Oaklands college the First Aider is responsible for providing first aid help to students and staff. The person is always ready to provide help, and to call for professional medics if there's a need.

Fire
Marshall

Fire present a rare but serious danger in a workplace. The employer must ensure that proper fire precautions are maintained. One of the key features of an effective fire safety policy in the workplace is the appointment and training of a Fire Marshal. The role of the Fire Marshal is, in the event of an emergency or drill, to help with the evacuation of the workers. The Fire Marshal also must

- Identify fire hazards at their workplace
- Note and report hazards to the appropriate person
- Ensure that escape routes are kept clear and can be used effectively at all times

In Oaklands College the Fire Marshal has all the duties described above. There are different Fire Marshals in different building so if there's an event of fire the appropriate person could move fast

enough to cover his area.

Activity	Risk Assessment	Risk	Date	07/12
		Assessor	Assessed	

Location	Oaklands college- LRC	Signature	Review Date	07/12
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What

<i>Who</i>	<i>What are</i>	<i>further</i>	<i>Action by</i>	<i>Action by Don</i>
<i>Hazards</i>	<i>might be</i>	<i>you doing</i>	<i>action is</i>	<i>who</i>
	<i>harmed</i>	<i>already?</i>	<i>necessar</i>	<i>when</i>
		<i>y?</i>		<i>e</i>

They

need to

Cables

on the

ground

people

can trip

over

them

Employee
es and
students

Cables are
secured
below the
tables

be

checked

on often

to make

sure

none

detached

themselv

es

IT
departm
ent

From
now,
every
week

07/1
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Fire risk

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07/1

computer
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 on facility sometime installed manager temperat 2
 s open and it ure rises
 should be
 turned on
 at all
 times

Recommendations

Premises should be cleaned and vacuumed more often. Also, there could be more windows, both of these factors would make the premises better ventilated.

The facility should have a sprinkler system known as Automatic Fire Suppression Systems (AFSS) so in case of fire, either if the detector detects smoke or if a fire alarm is pulled, the sprinklers would go off. AFSS can save lives and is very well received by all their customers.

The LRC are should be cleared from desk in the middle of the room. All computer and their desks should be moved to corners, so the middle of the room would have more space for people to navigate through. Currently the space between desk are very narrow and its hard to pass by. There's also a lot of cables on the ground, so if the desk get moved the cables wouldn't be a treat anymore.

Resources:

- https://www.oaklands.ac.uk/docs/default-source/college-policies/08-health-and-safety-policy-and-procedure.pdf?sfvrsn=ed9f4f8d_2
- <https://www.instituteforapprenticeships.org/apprenticeship-standards/facilities-management-supervisor/>
- <https://www.prospects.ac.uk/job-profiles/facilities-manager>

[1]<https://www.hseni.gov.uk/articles/temperatures-workplace>

[2]https://www.oaklands.ac.uk/docs/default-source/college-policies/08-health-and-safety-policy-and-procedure.pdf?sfvrsn=ed9f4f8d_2

<https://assignbuster.com/legal-requirements-for-health-safety-and-security-of-employees/>