



COMHAIRLE NAN EILEAN SIAR
Roinn an Fhoghlaim
Department of Education

Ag Amas air Adhartas - Aiming for Advancement

HEALTH AND SAFETY:
Policy and Procedure Manual

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EDUCATION DEPARTMENT

HEALTH & SAFETY POLICY STATEMENT

1. INTRODUCTION

1.1 The Health and Safety at Work etc. Act 1974 and subsequent legislation requires the Comhairle to prepare and operate a Health and Safety Policy.

1.2 The Act and supporting regulations requires the policy to be specific to organisations. While the Comhairle has an overall Health and Safety Policy, each Department must have a specific Health and Safety Policy derived from:

- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999 (rev 1994)
- Provision and Use of Work Equipment Regulations 1998
- Manual Handling Operations Regulations 1992 (rev 1998)
- Personal Protective Equipment at Work Regulations 1992
- Workplace (Health, Safety and Welfare) Regulations 1992
- Health and Safety (Display Screen Equipment) Regulations 1992
- Construction, Management and Design Regulations 1994 (As Amended)
- Construction (Health, Safety & Welfare) Regulations 1996

This list is not exhaustive.

1.3 A copy of the above and other regulations will be retained by the Safety Adviser.

1.4 This document sets out the Health and Safety Policy for the Education Department and the responsibilities of all members of the Department.

EDUCATION DEPARTMENT HEALTH AND SAFETY MANAGEMENT: POLICY STATEMENT

2. Policy Statement

- 2.1 The aim of the Education Department's Health & Safety arrangements is to promote a safe working environment and the prevention of accidents and ill health to all persons affected by its work activities. The work activities will be managed to ensure that:
- a. Health & Safety Acts, subsequent legislation and Approved Codes of Practice (ACOPs) are complied with.
 - b. Health & Safety matters are of equal importance with all other functions concerning managers, supervisors and workforce.
 - c. Health & Safety matters have an equal status with all other service objectives.
- 2.2 This document shows how the Education Department has and will further develop and implement its Health & Safety arrangements by:
- a. Establishing, within the service, structures which clearly define Health & Safety responsibilities.
 - b. Allocating sufficient resources to enable the Policy to function effectively.
 - c. Ensuring that all identified risks are reduced to the lowest level practicable by:-
 - d. Pro-actively preparing risk assessments along with safe systems of work to include method statements for all significant hazardous activities and processes.
 - e. The introduction of control measures to limit the exposure to risks of all persons affected by work activities.
 - f. The careful selection of work equipment along with the correct personal protective equipment to protect employees from the residual effects of any risks that cannot be controlled further by all means practicable.
 - g. Providing information, instruction and training for all employees to enable them to develop competency and maintain a culture of health and safety awareness.
 - h. Monitoring effectiveness and implementing corrective action at the earliest point with regard to any feedback from the workforce or the Safety Committee.
 - i. Investigating accidents according to their severity and taking corrective actions to ensure hazards are reduced to the lowest level throughout the workplace.
 - j. Actively encouraging joint consultation with employees and trade union representatives through the introduction and continuation of safety committees.
 - k. Monitoring the performance of the Education Department periodically to review, revise and update the policy as necessary.
 - l. Appointing competent persons to provide Health & Safety advice and to ensure the Policy is enforced reviewed and amended as and when necessary.
 - m. Ensuring that the Policy is made available at the workplace.

Signed *Murdo Macleod*, Director of Education

Date 30 June 2004

3. Responsibilities

3.1 Director

The Director of Education is responsible to the Chief Executive for employee and pupil Health, Safety and Welfare and, where there is a duty, to the Comhairle's citizens, customers and contractors, who may be on Comhairle premises or sites. Other responsibilities are defined in the General Policy Statement.

3.2 Heads of Service

Heads of Service will ensure that Health & Safety is an integral part of the overall management culture. Other responsibilities are defined in the General Policy Statement.

3.3 Head Teachers and Operational Managers

Head Teachers and managers will set out the organisation and arrangements within their school or service through which the policy and its associated guidelines e.g. Noise, Electricity, DSE, Fire and COSHH etc., will be implemented and will:

- a. Have overall responsibility for implementing the Health & Safety Policy within their particular school or Service.
- b. Ensure adequate financial resources are made available for its implementation or bring resources issues to the attention of senior management.
- c. Ensure sufficient training is made available to allow the policy to function effectively.
- d. Ensure safety performance is monitored.
- e. Be charged with ensuring the review and revision of the policy and its implementation periodically.
- f. Make the appropriate Head of Service aware of the joint responsibilities as laid down by the policy or its amendment.
- g. Be familiar with the broad requirements of Health & Safety legislation.
- h. Promote a pro-active environment in Health & Safety throughout their school or service.
- i. Set a good example by adhering to the policy in all matters, including the wearing of protective clothing and equipment where appropriate.
- j. Take appropriate action as regards Health & Safety and Welfare reports whenever received.
- k. Ensure that Safety inductions and issues of instructions, safe systems of work and other relevant information are provided to all employees under their control.
- l. Ensure that all plant and equipment used by employees within their Service is safe, fit for the purpose and maintained according to relevant instructions.
- m. Ensure that systems are in place to cater for all defective equipment to be reported and repaired or disposed of accordingly.
- n. Ensure that all workplaces under their control meet the statutory requirements of current legislation e.g. Access & Egress, Fire precautions, Work Equipment, Machinery & Guarding, DSE, COSHH, First Aid, Lifting Appliances, Work with Electricity, Young Persons etc.

3.4 Line Managers and senior school staff

Will visibly demonstrate commitment to achieving a high standard of Health & Safety performance within their area of responsibility and develop a positive attitude to Health and Safety among employees and others for whom they are responsible and will:

- a. Monitor the safe performance of all activities under their control and take such action as necessary to remedy any shortcomings.
- b. Make sure all employees under their control and others are familiar with the Health & Safety policy and how it affects their activities.
- c. Ensure the requirements of the Policy are implemented in their area of responsibility.
- d. Liaise with their Head Teacher or senior manager to ensure that all employees under their control and others as appropriate are adequately trained in Health & Safety matters.
- e. Ensure any tenders are sufficient to adequately provide for Health & Safety matters, and:
- f. Determine at the planning stage by Risk Assessment:
 - Safe systems and methods of work.
 - Work equipment that is fit for the purpose and maintained.
 - Adequate welfare facilities.
 - Defined responsibilities for those undertaking the work.
 - Suitable and safe materials / substances for the task or job.
 - Suitable Personal Protective Equipment (PPE) or clothing is issued as a result of the relevant assessment.
- g. Make adequate arrangements for the protection of non-employees, members of the public, other contractors, children etc.
- h. Ensure that necessary registers/plans are consulted, up to date and in place, in cases where other legislation may be warranted e.g. (CDM).
- i. Know the requirements of the Health and Safety at Work etc. Act 1974 and be aware of any subsequent Health & Safety legislation which will affect their activities.
- j. Set a good example by adhering to the policy in all matters, including the wearing of protective clothing and equipment where appropriate.
- k. Take appropriate action as regards Health & Safety instructions, reports and welfare at work.
- l. Ensure safety inductions and issue of any appropriate instructions, safe systems of work, and other relevant information is provided to all employees under their control.
- m. Ensure that statutory documents and signs are present and/or displayed at the workplace.
- n. Ensure that the systems in place to cater for all defective equipment to be reported are functional and known to all within their control.
- o. Ensure that all workplaces under their control meet the statutory requirements of current legislation e.g. Access & Egress, Fire precautions, Work Equipment, Machinery & Guarding, DSE, COSHH, First Aid, Lifting Appliances, Work with Electricity, Young Persons etc.

3.5 Supervisors and other staff with line management responsibilities

Supervisors and other staff with line management responsibilities will:

- a. Organise, instruct and oversee operations so that the work is carried out to the required standard with minimum risk to employees, pupils, members of the public, equipment and property.
- b. Ensure that no work is allocated to any employee unless their level of competency is to the required acceptable standard.
- c. Ensure that all registers, site plans and Health & Safety requirements are up to date.
- d. Ensure that all Health & Safety procedures and practices are fully implemented.
- e. Ensure all employees within their control and others as appropriate are familiar with those parts of the Policy, Acts, Current Legislation and Codes of Practice which affect them and the activities in which they are engaged.
- f. Ensure that only trained and competent persons of the appropriate age operate plant, equipment or machinery.
- g. Ensure that the correct procedures are followed for the reporting of accidents, dangerous occurrences or near misses.
- h. Set a good example by adhering to the policy in all matters, including the wearing of protective clothing and equipment where appropriate.
- i. Report any defective plant, equipment or machinery to their immediate line manager and take appropriate action to isolate the said defective item.
- j. Ensure that all employees under their control and others wear the appropriate personal protective clothing and equipment.
- k. Take appropriate action on those who constantly fail to consider their own Health & Safety and that of others around them and report the same to their superiors.

3.6 All Employees and others

All employees and others operating or using Education Department premises shall:

- a. take reasonable care for the Health & Safety of themselves and other persons who may be affected by their acts or omissions at work.
- b. co-operate with the Comhairle and its Officers in complying with Health, Safety and Welfare legislation.
- c. observe all safety rules at all times, including rules governing the safe operation of all machinery and equipment.
- d. use tools and equipment that are fit for their use and in the correct manner.
- e. wear Personal Protective clothing and equipment as is required.
- f. report all accidents and damage to equipment or property to their line managers (or teachers in the case of pupils) and safety representative, whether persons are injured or not.
- g. report all hazards to their line managers (or teachers in the case of pupils) safety representative.
- h. make constructive suggestions to improve Health & Safety in the workplace to their superiors (or teachers in the case of pupils) or safety representative.
- i. if an accident occurs, ensure that the Accident Reporting Procedure is carried out in accordance with the instructions as written in the General Statement of Health & Safety, Arrangements-Part 7, item II of this document. Accidents generally occur when persons are over familiar with their work, distracted or unsafe acts or conditions are apparent.

Some precautions that all employees should observe in areas of risk include:

- Not smoking in areas where it is restricted, or near flammable / explosive substances or gas cylinders.
 - Ensuring cleanliness, orderliness and good housekeeping is maintained at all times.
 - Not allowing damaged or trailing electrical cables attached to equipment or across areas of constant use.
 - Ensuring that no doors or drawers are left open needlessly.
 - Ensuring no careless use of sharp implements.
 - Ensuring no horseplay within the workplace.
 - Placing stored items in such a manner as to be free from manual handling risks, with the heaviest articles nearest waist level and lighter articles within reach, and nothing out of reach.
 - Where personal protective clothing or equipment is provided, always wearing it in the circumstances for which it is provided.
 - Paying care and attention to that protective clothing and equipment in order to ensure consistent protection.
- j. where existing hazards cannot be eliminated, minimise the possible harmful effects to employees or the public through suitable controls.
- k. not abuse or misuse any safety equipment, fire fighting appliances or fire prevention equipment provided.
- l. encourage pupils or young persons employed within the Service to develop the skills required in their work, and pursue the development of safe working methods as far as relevant legislation allows.
- m. training to develop and maintain the skills acquired by employees will be carried out as necessary.
- n. when working within premises not controlled by the Education Department, ensure that reasonable care is taken with regards to their Health & Safety and that of others.
- o. ensure that those services responsible for construction or changes to the or environment or its maintenance, shall take into account all statutory instruments and legislation in relation to Health & Safety at work, and make available to contractors such information in the form of documents, regulations and codes of practice which could affect the execution of the work.
- p. senior Managers and the Health & Safety Liaison Officer / Safety Adviser will always be available to examine and evaluate constructive safety suggestions. If in doubt with any aspect of Safety at Work, consult the appropriate senior employee who in turn through lines of management will contact the Health & Safety Adviser.
- q. not interfere with or misuse anything provided in the interest of Health, Safety or Welfare.
- r. take care to see that members of the public or customers are not exposed to hazards from work processes.
- s. be familiar with fire procedures at your place of work, the positioning of fire extinguishers, and inform your immediate superiors when an extinguisher has been discharged or damaged, or of any other defect or hazard.
- t. not obstruct fire exits or exit routes and do not prop open fire doors.
- u. know the location of the nearest first aid box, first aider or means of contacting the emergency services.
- v. before using a machine or piece of equipment, ensure that moving parts are securely guarded. Guards must not be removed during or for operational use. Under no circumstances must unauthorised persons remove guards at any time.
- w. report defects in lighting, equipment or property to their immediate superior.

3.7 The Client Function

Good Health and Safety Systems that protect the public, contractors and employees are inseparable from any concept of good local government. The law is very clear on the responsibilities laid down on Authorities:

“It shall be the duty of every employer to conduct his undertakings in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not exposed to risks to their Health and Safety.”
Section 3 (1) of the Health and Safety at Work etc. Act 1974.

(1) Every employer shall make a suitable and sufficient assessment of: -

- (a) The risks to the health and safety of his employees to which they are exposed whilst they are at work; and
- (b) The risks to the health and safety of persons not in his employment arising out of or in connection with the conduct by him or his undertaking. The **Management of Health and Safety at Work Regulations 1992, Regulation 3, Risk Assessment.**

The specification and control of contracts no matter who carries out the specified work is part of an Authority's responsibilities. Therefore the Authority must legally take all reasonable measures that it can in the specification and control of contracts.

It must do so to ensure that persons not in the Authority's employment, both the general public, and service users, are not exposed to risks. **Further, the Local Authority is legally required to ensure that contractors` own employees are not exposed to risks to their health or safety from the operation of the contract.**

3.8 All Other Persons on Comhairle Premises

All other persons on Comhairle premises shall:

- a. observe the Comhairle safety rules and the instructions given by persons enforcing the Comhairle Safety policy.
- b. not work on the premises until they agree to abide by the Comhairle safety rules.
- c. not work on the premises unless adequately covered by their own insurance against risk.

4. Health and Safety Assistance

4.1 The Education Department will be advised on Health, Safety and Welfare at Work matters by the Assistant Health and Safety Adviser and with assistance from the Corporate Safety Adviser, who will be the competent person providing assistance within the meaning of **Regulation 6** of the **Management of Health and Safety at Work Regulations 1992.**

4.2 The Education Safety Adviser will offer the following services:

- a. advising services to enable them to meet their statutory duties and fulfil Comhairle policies relating to Health & Safety.
- b. recommending suitable Protective Equipment.
- c. assisting in the drawing up of Health & Safety Standards and Safe Systems of Work.
- d. providing management with regular updates on Health & Safety Legislation, codes of practice and guidance relevant to their service.
- e. alerting management to newly recognised Health & Safety issues.
- f. contributing to service Health & Safety Committees as requested.
- g. developing and delivering Health & Safety training courses, educational and promotional literature.
- h. compiling accident statistics.
- i. investigating serious accidents to establish cause and recommended action to prevent recurrences.
- j. liaising with outside bodies such as the Health & Safety Executive, Fire Authority, Safety Organisations, the Institute of Occupational Safety & Health, Insurance Company etc.
- k. liaising with the Council Health and Safety Adviser to maintain and provide accident analysis information reports for the service.

5. Safety Representatives

- 5.1 **The Safety Representatives and Safety Committee Regulations 1977**, make provisions for recognised, independent trade unions to appoint safety representatives according to their rules (regulation 3). The employer must then be notified of the appointment in writing in order that the safety representative receives the right to carry out the functions granted by the Regulations. The person appointed as safety representative must have been employed by that employer for at least two years.
- 5.2 Safety representatives can investigate potential hazards, causes of accidents and employees' complaints regarding health and safety (regulations 4, 5 and 6). The employer should be consulted on the above matters and on general matters affecting the health, safety and welfare of the employees.
- 5.3 Inspections of the workplace can be undertaken by safety representatives once every three months or more frequently if conditions in the workplace have changed substantially, new information has been published by the HSE or a noticeable accident or disease, or dangerous occurrence, has occurred.
- 5.4 Those appointed as safety representatives must represent the employees in consultations with the employer and the employer must consult these representatives so that arrangements can be made which will enable both employer and employees to co-operate effectively in promoting and developing measures to ensure the health and safety at work of the employees and in checking the effectiveness of such measures (regulation 4). The constitution of the Education Safety Committee is attached at [Appendix 1](#).

6. Consultation with Employees

- 6.1 In non-unionised workplaces, under the **Health and Safety (Consultation with Employees) Regulations 1996**, which came into force on 1.10.96, employers are required to consult with those employees **outside the scope** of the **Safety**

Representatives and Safety Committees Regulations 1977 in good time, on the same issues as listed above. The employer may consult with the employees directly, or by representatives elected by the group of employees concerned, who are known as "representatives of employee safety". Representatives of employee safety may also make representations to the employer on matters concerning general health and safety or on potential hazards or dangerous occurrences at the workplace.

7. Accident Reporting

- 7.1 This policy outlines the procedures which are to be adopted when any employee, pupil, visitor or contractor experiences an accident, near miss or dangerous occurrence on Comhairle's premises during the course of their employment. This will also apply to visitors who are members of the public and therefore not at work.
- 7.2 This policy covers reporting and recording procedures for managers, employees and non-employees. Suitable information and training will be given to all personnel regarding accident reporting. The person responsible for co-ordinating all incident reporting is the Health & Safety Liaison Officer / Safety Adviser.
- 7.3 All accidents resulting in personal injury must be recorded in the accident book. Accident books are located in central positions and contain information, which must be recorded under law. Senior management, to ascertain the nature of incidents, which have occurred in the workplace, will regularly review the accident book. This review will be in addition to an individual investigation of the circumstances surrounding each incident.
- 7.4 All near misses must also be reported to management as soon as possible so that action can be taken to investigate the causes and to prevent recurrence.
- 7.5 **Reporting Procedure - Employees.** In addition to an entry in the accident book, any accident or dangerous occurrence must be reported to a responsible person. If an injury renders an employee or other persons unable to make an entry in the accident book, a witness or someone who is able to enter an account of the incident should complete this. The account of the employee or other person involved in the incident must be entered as soon as possible after the event. Employees must ensure that they are aware of the location of the accident book. All accidents and near misses must be recorded, however minor.
- 7.6 **Reporting Procedure - Managers.** If an injury, damage incident or near miss is reported to a member of management, that manager should ensure that appropriate investigations and records are maintained.
- 7.7 If the incident results in over three consecutive days of incapacity for work it is reportable under the **Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995, (RIDDOR)**, and the local enforcing authority must be informed on a prescribed form (F2508 revised) within ten days, (**via the Safety Adviser**). Major incidents (as defined in RIDDOR '95) must also be reported to the enforcing authority immediately by telephone and be followed **within 10 days** by a completed Form 2508 revised (**via the Safety Adviser**). A copy of the completed form should be kept with other Comhairle records including documents relating to the accident investigation, and to advise the insurers of a potential claim. The manager is responsible for assisting contractors and visitors in complying with company policy regarding accident reporting whilst on Comhairle premises.

7.8 **Accident Reporting Procedure - Visitors/Contractors.** Any non-employee who is involved in an accident or near-miss incident whilst on Comhairle premises must report the incident immediately to the person responsible for his or her presence on site. If the person responsible is not available, the visitor/contractor must obtain the assistance of a responsible person to ensure that Comhairle procedure is adhered to. All injuries must be reported in the accident book, however minor. Visitors and contractors who are unable to enter their own account into the book must arrange for another person to make an entry on their behalf. Visitors and contractors should also notify their own employer where applicable.

7.9 **Accident Reporting Procedure - Members of the Public.** If an injury occurs to a member of the public on Comhairle premises which results in their removal from site for hospital treatment, then this is notifiable to the local enforcing authority immediately and a form F2508 (01/96) must be sent within 10 days, (**via the Safety Adviser**).

Guidance on the completion of the Internal Incident Report form (Accident Form) is located on Health, Safety and Welfare Standard Number 1 (see Intranet site.)

8. Risk Assessment

8.1 **The Management of Health and Safety at Work Regulations 1992, Regulation 3 (Risk Assessment)**, require employers to make a suitable and sufficient assessment of the significant risks to Health and Safety of their employees. The regulations require employers to undertake a systematic examination of their work activity and to record the significant findings of such assessments. All reasonable steps will be taken to ensure that **Risk Assessments** are carried out.

8.2 A central register of Risk Assessments will be maintained and be made available for all employees as well as for monitoring purposes during routine safety inspections of premises.

8.3 The Education Department accepts that some of its operations carried out by its Services may, unless properly controlled, create risks to members of staff, and others, and will take all reasonably practicable measures to reduce these risks to an acceptable level. The Services will take all reasonable steps to ensure that risk assessments are carried out which will identify and detail the range of hazards associated with working operations together with any necessary remedial actions.

8.4 Any employee who discovers a hazard during working operations should report the hazard to management so that the necessary remedial action can be taken. The employee safety representatives will provide an avenue through which any concerns raised by employees, emanating from the risk assessments, can be brought to the attention of senior management for more formal discussion. Risk Assessments must identify all hazards within the undertakings work carried out by employees of the Education Department, this will include the following areas:

- a. Employees and non-employees (contractors, visitors, agencies and part time operators).
- b. current equipment and any equipment that is planned to be hired or purchased in the future.
- c. materials used within the working environment, (COSHH will only have covered the use of chemical aspects).

d. d) the working environment for employees and others.

- 8.5 **Planning and Organisation.** The Service will, in consultation with employees' representatives, make the necessary arrangements for a formalised approach to the assessment process. This will involve an initial discussion on a system for rating risks found during the assessments so that they can be classified and thus prioritised. Then the necessary control measures will be identified to lower the risks identified to acceptable levels, in accordance with severity and likelihood of occurrence of harm from the hazards.
- 8.6 The Education Department believes that a team approach to risk assessment is the most effective, and in conjunction with the employees' representatives, will decide on the number and constituent members of the assessment teams. The assessment process will be part of normal working for purposes of employee conditions.
- 8.7 **Control and Monitoring.** The purpose of the risk assessment will be to formulate a system of control for hazards associated with daily working environment and working practices. To achieve this, a proper system for the formulation of remedial actions to cater for the hazards identified has been developed. The health and safety committee will discuss all items of concern arising from the completed risk assessment procedure.
- 8.8 Both senior management and the employee representatives will discuss any hazards given the priority of urgent or high priority action within 24 hours with work stopping if necessary. The assessment team leader will be charged with the responsibility for implementing any necessary changes that the health and safety committee considers appropriate. The assessment team leader will detail members of the team to be responsible for monitoring implementation of the recommended controls, assessing the efficiency of the controls and making any additional recommendations.
- 8.9 Once a hazard has been identified, its risk is assessed to determine how and whether it should be controlled. Systems and management standards will need to be produced and implemented, having included input from all levels of the workforce. Co-operation is vital in this area if these standards are to be accepted. Whilst trivial risks may require no action, the assessment will need to indicate the criteria used to determine this.
- 8.10 Visitors will be unaware of specific hazards within the workplace. When accompanying visitors within premises or sites, relevant information with regard hazards and the necessary precautions or procedures should be given. In the event of evacuation procedures being implemented, care should be taken to ensure the safety of all concerned and that all visitors are accounted for.
- 8.11 **Information and Training.** Members of the teams will, where necessary, be given:
- a. training to improve their knowledge of the risk assessment procedure.
 - b. any additional detailed knowledge about how to assess risks within the working environment that they will be assessing.

Guidance on the completion & format to be utilised of a Risk Assessment is located on Health, Safety and Welfare Standard Number 6 (see Intranet site.) A full range of Education Risk Assessments is also set out on the Intranet site under Health and Safety.

9. Display Screen Equipment

- 9.1 All reasonable steps will be taken by the Education Department to secure the Health and Safety of employees who work with display screen equipment in accordance with the **Health and Safety (Display Screen Equipment) Regulations 1992, (DSE)**.
- 9.2 The Education Department acknowledges that Health and Safety hazards may arise from the use of this equipment, and it is the intention to ensure that any risks are reduced to a minimum. Whilst it is generally recognised that the use of DSE can be undertaken without undue risks to health, it is appreciated that some employees may have genuine reservations and concerns. Information and training to enable a fuller understanding of these issues will be given. The implementation of this policy requires the total co-operation of all members of management and staff.

The Standard issued by the Comhairle Safety Adviser indicates the necessary actions to be carried out, and trained assessor(s) within the Education Department will assess and bring to the attention of management the results and recommended changes, if required.

Guidance on the format for assessment is located on the Health, Safety and Welfare Standard Number 2 (see Intranet site.)

10. The Control of Substances Hazardous to Health 1999 (COSHH).

- 10.1 Modern working methods involve the use of substances, principally chemicals, which may pose a risk to the health of people using them. No chemical is completely safe in all circumstances and any airborne dust, in significant quantities, can damage health. Since the hazard to health posed by many substances is not known it is good practice to use working methods to minimise exposure. Where the hazards are known specific steps can be taken. The seven most important steps are:
- a. Identify the hazard.
 - b. Assess the risk.
 - c. Eliminate, prevent or control the risk.
 - d. Maintain and monitor the controls.
 - e. Monitor the health of the workforce.
 - f. Ensure assessments and controls are up to date.
 - g. Inform and train the workforce.
- 10.2 All reasonable steps will be taken to ensure that all exposure of employees to substances hazardous to health is prevented or at least controlled to within statutory limits. Every effort will be undertaken to control exposure by the following means:
- a. Specifications (Engineering out the Hazards).
 - b. Elimination.
 - c. Substitution.
 - d. Segregation.
 - e. Local Exhaust Ventilation (LEV).
 - f. General Dilution Ventilation.
 - g. Reduced Time Exposure.
 - h. Good Housekeeping.
 - i. Personal Hygiene.

- 10.3 Where exposure cannot be adequately controlled by engineering means, appropriate Personal Protective Equipment, (PPE), will be provided free of charge after consultation with employees or their representatives.
- 10.4 All employees will be provided with adequate information and instruction on the nature and likelihood of their exposure to substances hazardous to health. The implementation of this policy requires the total co-operation of all members of management and staff.
- 10.5 A Comhairle Standard regarding COSHH, produced by the Safety Adviser for guidance purposes, will be adhered to. A Safety Data Sheet will be produced for each substance and be made available for employees for their information.
- 10.6 COSHH assessors are to be nominated and suitable and sufficient training carried out in order that they become competent to carry out the task.

Guidance on the format for assessment is located in Health, Safety and Welfare Standard Number 3 (see intranet site.)

11. Fire

- 11.1 As far as is reasonably practicable, all steps shall be taken by the Education Department to prevent, or minimise the probability of, all causes of fire. The Department acknowledges that despite these measures it cannot be assumed that fire will never break out. Systems are to be put in place to deal with this eventuality and these will be regularly scrutinised to ensure that they are adequate, i.e. fire evacuation drills, inspections of the means of escape and maintenance of fire warning systems and fire-fighting equipment will take place regularly. In accordance with legislation.
- 11.2 To this end all employees shall be given suitable instruction in basic fire prevention measures. Any employees involved in processes or activities that give rise to special fire hazards shall be given appropriate training in avoidance of fire.
- 11.3 Employees should report any concerns they have about fire hazards, etc. to a responsible person, so that the appropriate measures to eliminate the problem can be taken.
- 11.4 In order to minimise the risk of fire, the five most important measures are to:
- a. ensure that a Fire Risk Assessment has been carried out & is available for all employees to see and that any hazards found as a consequence are adequately controlled.
 - b. regularly inspect, test and maintain all fire-fighting appliances and associated equipment.
 - c. regularly inspect, test and maintain all electrical installations and appliances.
 - d. ensure that there is adequate security to prevent the risk of arson.
 - e. adhere to the smoking arrangements within the premise.

11.5 Guidance on Fire Equipment & Checks

The following points shall be adhered to:

- a. employees are to be provided with the appropriate procedure and training for the evacuation of their premises in the event of a fire, bomb warning or fire drill.
- b. fire drills will be carried out in according to any Fire Certificate issued, (normally 2 times per year with an interval of 6 months).
- c. fire Alarm call point check/ bell check (where fitted) - weekly.
- d. any electronic doors are checked for failure to safe mode (where fitted) – weekly.
- e. fire Extinguishers are checked annually.
- f. emergency Lighting is checked annually, (where fitted).
- g. a Fire Register is provided for recording all of the above.
- h. persons are to be appointed to co-ordinate fire evacuation procedures and ensure everyone is accounted for.
- i. Fire Action notices & appropriate signs to the correct standard are to be displayed in prominent positions within the workplace.
- j. any No-Smoking policy within premises is to be adhered to.
- k. all employees are to book in and out of Comhairle premises, visitors are also to be booked in and out.

Guidance on the format for a Fire Risk Assessment is located on the Intranet site under Health and Safety/Risk Assessments.

12. First Aid and injuries

- 12.1 The Education Department is committed to providing sufficient numbers of first aid personnel to deal with accidents and injuries occurring at work. To this end, it will provide information and training on first aid to employees to ensure that statutory requirements and the needs of the organisation are met. Should employees have concerns about the provision of first aid within the organisation, they should inform a responsible person to enable the query to be investigated in order that the situation may be rectified if necessary.
- 12.2 First aid personnel are employees who have volunteered for the role and who have been assessed as being suitable. Numbers of First Aiders will depend on the nature of the work activities and the number of employees and will be agreed with the Education Department in light of the school's First Aid Risk Assessment.
- 12.3 First Aiders are personnel who have received training for the environment to be covered and passed an examination in accordance with Health and Safety Executive requirements. First aid personnel will be provided with retraining at regular intervals in order to ensure that their skills are maintained. The Education Department will ensure that there are sufficient first aid personnel within the workplace to adequately cover for every shift and weekend working (where relevant). Every endeavour will be made to ensure that cover is sufficient throughout the working year, taking into account holidays etc. Notices will be displayed in all workplaces giving the location of first aid equipment and the name(s) and location(s) of personnel concerned.
- 12.4 It is unlikely that first aid personnel rendering assistance to a colleague will become subject to legal action because of a deterioration in the colleague's condition. However, the Comhairle has arranged to guard against this possibility by providing, through its insurance policies, indemnification for any member of staff who assists an employee who becomes ill or is injured at work, either on or off the premises.

12.5 First Aid Boxes are provided within the workplace to ensure that there are adequate supplies for the nature of the hazards involved. All boxes will contain at least the minimum supplies, which are required under law. Only specified first aid supplies will be kept. No creams, lotions, drugs or alcohol-based supplies, however seemingly mild, will be kept in these boxes. The location of first aid boxes and the name of the person responsible for their upkeep, (First Aider) will be clearly indicated on notice boards throughout the workplace. First aid boxes will display the following information:-

- a. the name of the person responsible for their upkeep.
- b. the nearest location for further supplies.
- c. the contents of the first aid box and replenishing arrangements.
- d. the location of the accident book.

12.6 Contents of First Aid Box

- a. a general guidance card on First Aid.
- b. 20 individually wrapped sterile adhesive dressings (assorted sizes). (Detectable dressings are to be available for catering facilities).
- c. 2 sterile eye pads.
- d. 6 individually wrapped triangular bandages.
- e. 6 safety pins, or fasteners.
- f. 6 medium sterile individually wrapped unmedicated wound dressings (10cm x 8cm).
- g. 2 large sterile individually wrapped unmedicated wound dressings (13cm x 9cm)
- h. 3 extra large sterile individually wrapped unmedicated wound dressings (28cm x 17.5cm)
- i. where mains tap water is not available for eye irrigation it will be sufficient to provide adequate quantities of saline solution (0.9%) in sealed disposable containers, (these are date stamped and require renewal periodically). (The use of eye bath/cups or re-fillable containers is not recommended).
- j. 6 pairs of protective gloves.
- k. first Aiders personal mouth piece

12.7 **Portable First Aid Kits.** These are available for those members of staff who are required to work away from the normal workplace, where access to facilities may be restricted. Examples of these circumstances include:

- a. work with potentially dangerous tools and machinery away from base location.
- b. employees travelling in vehicles on a regular basis.
- c. employees whose work takes them to isolated or remote locations.

12.8 **First Aid/Recovery Room (where available).** Where available, this is provided to assist first aiders when administering treatment. Access to a first aid room is obtainable from a first aider. All staff, especially new recruits, must be made aware of the location of the first aid room (if available). This room must only be used for rendering of first aid during or after illness. Careful selection must be exercised with reference to the location of the first aid room or such an area that could be utilised as such, (pregnant & nursing mothers) so that corridors and lifts, etc. are large enough to allow for a stretcher, wheelchair or carrying chair to be used safely and easily.

- 12.9 **Dealing with injuries to pupils or others:** injuries to pupils, members of staff or others should be referred to the nominated first aider who will decide whether any injury requires medical or hospital treatment or can be dealt with by the school. If it is necessary to seek hospital or medical treatment for a pupil, their parent or carer should be informed as a matter of urgency. Where it is not considered necessary to seek medical or hospital treatment, the parent or carer should nevertheless (unless the incident is very minor indeed) be advised of the matter either by telephone or by means of a note sent home with the child at the end of the school day.
- 12.10 **Recording Accidents.** All accidents must be recorded, however minor. The accident book is centrally located, details of which are displayed on first aid boxes. It is the responsibility of employees to ensure that they complete an entry in the accident book as soon as possible after the injury has occurred. Where the injured person is unable to enter his or her account into the accident book, the first aider or witness (where relevant) should enter details on the employee's behalf. Where an accident results in admittance to hospital, or inability to continue work, the relevant manager must be informed immediately.
- 12.11 For the purposes of maintaining first aid supplies, first aiders should keep a record of those supplies that are used, by whom and for what reason.

13. Personal Protective Equipment (PPE)

- 13.1 **Section 2 of the Health and Safety at Work etc. Act 1974 (HASWA)**, “to ensure the safety of employees at the workplace” and Risk Assessments, may result in the selection and provision of Personal Protective Equipment (PPE), in order to protect employees and others from the risks arising from work activities. This equipment is to conform with Regulation 4 of the Personal Protective Equipment at Work Regulations 1992, and be as a last resort to deal with the residual risks that cannot be controlled through Elimination, Engineering, Substitution etc. Any PPE deemed necessary to meet statutory obligations must be provided free of charge, Section 9 (HASWA).
- 13.2 Under **Regulation 4 of the Personal Protective Equipment at Work Regulations 1992, (PPE)** the employer must ensure that suitable PPE is provided to employees (and others, particularly those on work experience or temporary staff, and possibly contractors), who may be exposed to a risk to their health and safety whilst at work, unless the risk has been controlled adequately by other means. If more than one risk exists and it is necessary to wear simultaneously more than one item of PPE, such equipment shall be compatible and continue to be effective protection against the risks in question (**Reg 5**).
- 13.3 **Regulation 6** of the PPE Regulations requires an assessment to be made by the employer or self-employed person to determine whether the proposed PPE is suitable. The employer shall maintain any PPE issued in an efficient state and ensure that PPE is in working order and in a good state of repair (**Reg 7**). The employer shall provide suitable storage for PPE when it is not being used (**Reg 8**).
- 13.4 No employee shall use PPE without training. Employers must provide employees with comprehensible information, instruction and training so that they understand the purpose of the PPE, the risks it protects against, the correct method of use and how to maintain it in an efficient state (**Reg 9**). Employees must use the PPE in accordance with the training and instruction given (**Reg 10**). Employees must also ensure that PPE is returned to the accommodation provided after use. All employees shall report any loss.
- 13.5 The Education Department will provide personal protective equipment when the risk presented by a work activity cannot be adequately controlled by other means. All reasonable steps will be taken to secure the health and safety of employees who work with PPE.
- 13.6 It is also acknowledged that health and safety hazards will have been identified if this equipment is used. It is the intention to ensure, through the proper use of this equipment, that any risks are reduced to a minimum.
- 13.7 The implementation of this policy requires the total co-operation of all members of management and staff. There will be full consultation with employee representatives through existing channels of communication.
- 13.8 The Education Department will, in consultation with workers and their representatives:-
- a. Carry out an assessment of proposed PPE to determine whether it is suitable.

- b. Take any necessary measures to remedy any risks found as a result of the assessment.
- c. Ensure that where two (or more) items of PPE are used simultaneously, these are compatible and are as effectively used together as they are separately.
- d. Arrange for adequate accommodation for correct storage of the PPE.
- e. Implement steps for the maintenance, cleaning and repair of PPE.
- f. Train staff where appropriate in the safe use of PPE.
- g. Replace PPE, which has been provided to meet a **statutory obligation**, as necessary and at no cost to the employee.
- h. Inform every employee of the risks, which exist.
- i. Reassess as necessary if substances used or work processes change.

14. Manual Handling

14.1 Statistics show that Manual Handling is one of the most common causes of absence through injury at the workplace where more than one third of lost time accidents occur. Often long-term effects can be a result of accidents involving the back. Under **s.2 of the Health and Safety at Work Act 1974**, every employer has a duty to provide a safe place of work, a safe environment and safe systems of work, so far as is reasonably practicable. This duty includes the need to minimise risk arising from manual handling tasks, both for human and inanimate object handling. This policy is intended to reduce the risk of Manual Handling injuries and to provide guidance on the measures that should be taken to ensure Safe Systems of Work.

14.2 **The Manual Handling Operations Regulations 1992**, (rev 1998), is interpreted as the transporting or supporting **of any load**. **Regulation 4** requires the employer to avoid the need for hazardous manual handling activities, so far as is practicable. Where this is not possible, **an assessment is to be carried out to determine the level of risk** resulting in the introduction of suitable controls in order to reduce the risk of injury to the lowest level that is reasonably practicable. This includes handling equipment and aids, adequate training in safe methods and techniques of lifting and carrying for employees carrying out manual handling tasks.

14.3 **Assessment of Risk** will take cognisance of the following factors:-

- a. **The Task:** Bending, stooping, reaching & excessive pushing or pulling of loads significantly increase the risk of injury if not carried out correctly, carrying distances should be minimised and twisting should be avoided at all times.
- b. **The Load:** Is to be kept as close to the body as possible and should not obscure the person's vision. Where possible indications of the weight, stability and the centre of gravity are to be provided. The condition of the load is to be considered, is it hot, cold, an awkward shape, and non-rigid or floppy, and are the contents likely to move rendering the load unstable.
- c. **The Working Environment:** Adequate space for manoeuvring, free from obstructions, sufficient lighting, heating and ventilation accounted for as well as weather conditions, floors and steps, moving from one condition into another etc.
- d. **The Individual:** Consideration to age, sex, body weight and physical fitness and personal limitation, where the employee regards the load beyond their individual capability, assistance must be sought. Persons with genuine

physical or clinical disorders and pregnant women are to avoid hazardous lifting or carrying tasks.

- e. **Other Factors:** Personal Protective Equipment (PPE) e.g. gloves, may be required for certain operations, they must not hinder movement or interfere with the safety of the task in any manner. Concentration is important as interruptions will divert attention and induce mistakes, leading to unsafe conditions and acts.

These Assessments will be carried out by a competent person/s and any training given shall be undertaken by accredited person/s.

A Manual Handling Risk Assessment is set out on the Comhairle's Intranet site under Health and Safety.

15. **Electricity at Work**

- 15.1 The main duties imposed upon employers and employees with regard to electrical safety are contained in the **Health and Safety at Work Act 1974** and the **Electricity at Work Regulations 1989** (EAWR).
- 15.2 Sections 2 and 3 of HSW Act require employers to ensure the safety of their employees and others, including contractors and members of the public. Employees are required under s.7 of HSW Act to take care for their own health and safety and that of others.
- 15.3 EAWR place the onus on employers to assess work activities involving electricity in terms of any associated risks. Under **regulations 4, 5 and 6 of EAWR, employers must ensure that electrical equipment is properly constructed, installed and maintained** and that installations are suitable for the environment in which they are used. If found necessary, suitable personal protective equipment should be provided and maintained in good condition under regulation 4(4).
- 15.4 Regulations 13, 14 and 15 of EAWR require employers to ensure that work activities, including maintenance, are carried out safely. **Under regulation 16, persons carrying out electrical work must be competent for the tasks**, which are assigned to them.
- 15.5 All reasonable steps will be taken to secure the health and safety of employees who use, operate or maintain electrical equipment. The Education Department acknowledges that work on electrical equipment can be hazardous and it is therefore the its intention to reduce the risks as far as is possible. The implementation of this policy requires the total co-operation of all members of management and staff, as well as any contractors hired to carry out work involving electrical equipment.
- 15.6 Where a problem arises related to electricity at work, employees must inform a responsible person immediately and the Service will then take the necessary measures to investigate and remedy the situation.
- 15.7 The Education Department will, in consultation with workers and their representatives:-

- a. ensure that electrical installations and equipment are installed in accordance with the current Institute of Electrical Engineers (IEE) Wiring Regulations.
 - b. maintain the **fixed** installation in a safe condition by carrying out routine safety testing, (**every 5 years**).
 - c. **inspect and test portable and transportable equipment as frequently as required**, (the frequency will depend on the environment in which the equipment is used and the conditions of usage, i.e. how carefully it is handled or in accordance with **HSE guidance IND(G) 160 L**).
 - d. promote and implement a safe system of work for maintenance, inspection or testing.
 - e. **forbid live working** unless absolutely necessary, in which case a permit to work must be issued before work begins, **or** written justification & systems are present.
 - f. ensure that **employees who carry out electrical work are competent to do so**.
 - g. forbid all work by employees on equipment or systems above 650 volts: such work will be carried out under contract by approved contractors who are required to be competent, trained and equipped for this work.
 - h. exchange safety information with contractors, ensuring that they are fully aware of (and prepared to abide by) the Education Department health and safety arrangements.
 - i. provide suitable personal protective equipment if required, maintaining it in a good condition.
 - j. **maintain detailed records** of (a)–(i) above.
- 15.8 The Education Department will provide information, instruction and training for all employees to enable them to carry out their duties without putting their health and safety at risk. Only competent persons should carry out electrical work. If it is found necessary to use in-house technical staff to carry out such work, they will be adequately trained to the level required.
- 15.9 Most people are aware of the health and safety hazards associated with electricity. To avoid injury, or worse, it is essential to adopt the following precautions:-

Faulty Equipment

- a. Report faults immediately. Do not use or continue to use faulty equipment.
- b. Do not carry out repairs, etc., or even fit plugs, unless you are authorised to do so.

Portable and Transportable Electrical Equipment

- a. Personal issue equipment should be visually inspected at least once a week by the user.
- b. Equipment used out of doors should be 110 volt **or** be supplied via a residual current device (RCD).
- c. Avoid using long extension leads wherever possible. If their use is unavoidable, ensure that the connector is manufactured to BS 4343 (this has been replaced by BS EN 60309-2, but still remains current).

Temporary Installations

Temporary wiring must be as safe as a permanent installation and must be replaced by a permanent installation as soon as practicable if it is likely to be needed for a period longer than three months.

Electrical Work — High Voltage

Do not carry out work on equipment or systems above 650 volts. Only approved contractors are authorised to carry out this work, unless employees are specifically trained to do so.

Electrical Work — Voltages up to 650

1. All work on electrical equipment or systems which involve the exposure of conductors must be carried out with the supply switched off, isolated and secured against re-energisation, (locked off).
2. A proving test to ensure isolation must be completed before starting work and an approved test instrument must be used for this purpose.

Live Working

1. Live working must be avoided wherever possible. Work on or near live conductors is only permitted when essential for equipment fault diagnosis.
 2. Only competent persons can be authorised to carry out live working.
 3. A permit to work is required before working live.
 4. All practicable precautions must be taken when working live to ensure the safety of persons, including:-
 - (a) The use of special tools, rubber mats and gloves.
 - (b) The presence of another authorised person who understands the activity and who is able to handle an emergency (e.g. remove the victim from further danger, administer first aid etc.)
 - (c) The erection of safety barriers to keep unauthorised persons out of harm's way.
- 15.10 Electrical accidents can have very serious consequences. To help prevent them, remember these three basic rules:-
- (a) Report faulty or damaged equipment; do not attempt to use it.
 - (b) Do not try to repair faulty equipment; leave it to the experts.
 - (c) Never use electrical equipment in damp surroundings or where flammable vapours may be present, unless you know that it is suitable for that purpose.
- 15.11 Guidance on the Electricity at Work is located in Health, Safety and Welfare Standard Number 4 (see intranet site under Health and Safety.)

16. Work Equipment

- 16.1 Employers have a general duty, so far as is reasonably practicable, to provide machinery, equipment and other plant that is safe and to maintain it in a safe manner (**s.2 and 3 of the Health and Safety at Work Act 1974**).
- 16.2 In accordance with the **Provision and Use of Work Equipment Regulations 1998 (PUWER)** employers must ensure that all equipment provided for work is suitable for its intended purpose (regulation 5) and is maintained in an efficient state (regulation 6). Regulations 8 and 9 stipulate that information, instructions and training must also be provided. Regulations 11 to 24 outline specific requirements to be complied with, which are prevention of access to dangerous parts of machinery, protection against

specified hazards, temperature extremes, controls, isolation from sources of energy, stability, lighting, maintenance operations, and markings and warnings.

- 16.3 Regulation 11 of **PUWER** requires an employer to take effective measures to prevent access to any dangerous part of machinery or rotating stock-bar, or to stop its movement before any part of a person enters a danger zone; this must be done by providing fixed guards where possible, or other guards or protection devices where fixed guards cannot be used. If it is impossible to use guard's then appropriate jigs, push-sticks, etc. should be provided. Where none of the above measures are possible then appropriate information, instruction, training and supervision must be provided. The above information should be considered in conjunction with the **relevant risk assessments** and any applicable permit-to-work systems.
- 16.4 These regulations now include all mobile work equipment, which is utilised for carrying or the transport of employees. Such equipment's are to have assessments carried out with reference roll over potential & any findings actioned appropriately. e. g., roll bars to prevent possible entrapment or crushing injuries. All Lifting equipment and associated ancillaries are to be fit for the purpose, of adequate of strength and maintained with suitable records kept.
- 16.5 The **Supply of Machinery (Safety) (Amendment) Regulations 1994** require employers to ensure that any machinery supplied under these Regulations meets the essential health and safety requirements that are prescribed, carries a declaration to state that it does comply and bears the **CE** mark. The Regulations came into effect on 1 January 1993 and only apply to machinery manufactured on or after this date.
- 16.6 The Education Department will take all reasonable steps to ensure the safety of all employees working on the machinery as well as to ensure the safety of others who may be affected by the machinery. It will also seek to liase with suppliers to ensure that any new machinery is designed and supplied to work in a safe manner, and will seek to inform and train employees to implement this policy.
- 16.7 Should employees have any problems relating to machinery safety, they should immediately inform a responsible person (usually a manager or supervisor) so that steps can be taken to remedy the situation promptly.

17. Noise

- 17.1 The Education Department will take all reasonable steps necessary to ensure that the risk of hearing damage to employees who work with noisy equipment or in a noisy environment is reduced to a minimum. **Noise Assessments** will be carried out on processes and equipment by competent persons where it is identified as noise exposure is at the **first action level of 85dB(A)** These will be used as the basis for formulating action plans for remedial measures when necessary.
- 17.2 Assessments and surveys will be recorded and updated where necessary, particularly when changes in work practice cause changes in noise exposure levels of employees.

- 17.3 The Education Department will, as far as is reasonably practicable, take all steps to reduce noise exposure levels of employees by means other than the use of personal protection. This will include use of reduced exposure time to ensure that the dose rate of **90dB(A) for 8 hours is not exceeded, (the second action level)**. The Department also accepts that the use of ear protectors is a last resort, and is committed to continuing to seek and introduce alternative methods for reducing noise exposure levels whenever possible in the future.
- 17.4 Services where required will provide suitable and effective ear protection to employees working in high noise levels, as indicated to be necessary by the results of noise exposure assessments. It will also provide for the maintenance and repair or renewal of the protective equipment, and provide training in the selection and fitting of protectors and details of the circumstances in which they should be used.
- 17.5 Designated and marked out ear protection zones will be identified, All personnel entering these zones will be required to wear ear protectors.
- 17.6 Management systems are to be put in place to maintain all equipment and monitor all procedures introduced for the purpose of reducing noise exposure of employees, such as enclosures, silencers, machine covers, etc. All personnel will be required to use these procedures and equipment correctly and promptly report any defects or deficiencies through the appropriate channels.
- 17.7 Adequate training of employees will be provided as part of its hearing conservation and noise control policy. All employees who are subject to high levels of noise will be provided with information, instruction and training about the harmful effects of noise and what they must do in order to protect themselves and meet the requirements of the law and of Comhairle policy.
- 17.8 Whenever an employee raises a matter related to noise in the workplace as a health and safety issue, the Service will:-
- a. Take all necessary steps to investigate the circumstances.
 - b. Take corrective measures where appropriate.
 - c. Advise the employee of actions taken.
- 17.11 Working in high levels of noise without proper protection can cause irreversible damage to hearing. The risk of incurring these harmful and disturbing effects of noise can be minimised by taking the following precautions:
- a. avoiding making unnecessary noise.
 - b. Co-operating fully when any noise assessments are being carried out so that estimates of noise exposure levels are as accurate as possible.
 - c. Correctly using all equipment and procedures designed to reduce noise exposure levels, e.g. noise enclosures, acoustic covers, silencers, etc. Do not interfere with or modify any such equipment without authorisation and co-operate to ensure that it is properly maintained.
 - d. Always wearing the ear protectors provided when required to do so, e.g. in designated and marked Ear Protection Zones. Make sure that the ear protectors are always fitted correctly and are properly looked after.
 - e. Promptly reporting all situations, which may lead to increases in noise exposure levels, such as defects in equipment or changes in work routine.

18. **Food & Hygiene**

- 18.1 Where an employer provides food and drink for sale the provisions of the **Food Safety Act 1990 (FSA)** and its associated regulations: the **Food Safety (General Food Hygiene) Regulations 1995** and the **Food Safety (Temperature Control) Regulations 1995** will apply. In such cases, the premises will have to be registered with the local authority by the employer under the provisions of the **Food Premises (Registration) Regulations 1991**. In those cases where such facilities are provided by a contractor on behalf of the employer, then the contractor will be responsible for the registration.
- 18.2 The central aim of this legislation is to provide safety controls through the food chain from source to ultimate consumption, thus ensuring that food is fit for human consumption and unlikely to be injurious to health. There is a requirement that a system of hazard analysis is implemented to ensure that any steps in the catering operation that are critical to food safety are identified, controlled and monitored. Documentation of this system, together with any associated records is necessary should the employer wish to make use of the statutory defence of 'due diligence' under s.21 of the Food Safety Act. The complexity of such arrangements will depend on the size and type of the particular operation. Further information on compliance with food hygiene law may be found in Industry Guide to Good Hygiene Practice: Catering Guide (ISBN 0 11 321899 0).
- 18.3 **The equipment provided for the purposes of catering and vending must be safe.** Electric kettles, refrigerators and microwave ovens, etc. should be subject to the same test and inspection regime as if they were ordinary work equipment.
- 18.4 The records kept for employees providing a full catering service include:
- a. Risk assessments including those relating to food safety in canteen areas, together with arrangements for monitoring and controlling the risks identified.
 - b. Details of the equipment provided for the preparation of food and drink and the arrangements for maintaining it in a safe condition.
 - c. Details of cleaning programmes for all equipment, utensils and surrounding areas where food is prepared.
 - d. Details of the registration of food preparation companies where prepared food is brought into the company.
 - e. Complaints of ill health alleged to have arisen from food or drink prepared or consumed at the workplace.
 - f. Purchasing specifications for food.
 - g. Supplier assessments.
 - h. Hazard analysis records together with a list of the identified critical steps and their associated controls.
 - i. Temperature records.
 - j. Induction and food hygiene training records of employees who handle food
 - k. Pest control records
- 18.5 The Education Department acknowledges the hazards associated with food hygiene (such as food contamination by harmful bacteria), and will exercise all reasonable precautions and due diligence in maintaining the highest standards of catering and vending.
- 18.6 This policy will be updated when there is a significant change in equipment or in the food being provided or if it becomes obvious that there are better methods of ensuring health and safety in relation to catering and vending.

- 18.7 When an employee experiences a problem regarding catering and vending, he or she should inform a responsible person immediately (usually a supervisor) and they will take the necessary measures to investigate and remedy the situation.
- 18.8 The Service will strive to provide food, which matches its description, is nutritious and appetising and provides value for money. In order to provide food which is safe, the following arrangements have been made:
- a. Each stage of the catering operation from preparation to consumption will be constantly monitored.
 - b. Hazard analysis associated with food safety will be carried out, and identified critical steps will be eliminated or satisfactorily controlled.
 - c. Food handlers will be **trained** in food safety and hygiene **to a recognised standard. (Certificates are to be displayed where food is sold).**
 - d. The highest possible standards of cleanliness will be maintained for equipment and premises.
 - e. Facilities for the maintenance of the highest standards of personal hygiene, including provision of clean protective clothing, will be provided for all food handlers.
 - f. Food handlers will be screened to minimise the risk of contamination from food-borne infections.
 - g. Complaints of ill health and poor quality will be recorded, investigated and where necessary, remedied.
 - h. Strict temperature controls will be maintained on all foods covered by legislation
 - i. Relevant policies are in place eg fire safety and first aid.
- 18.9 **Food bought in from Outside Contractors** Persons bringing in prepared foods on to the premises must ensure that food providers are registered with their local authority and that permission to use the facilities has been obtained from the Education Department. Such contractors must be monitored to ensure that they are meeting legislative requirements relating to food preparation and sale.
- 18.10 Employees must give due care and consideration to the safe use of catering equipment and may only use this for the intended purpose and in accordance with the manufacturer's instructions. The Service may impose certain restrictions on the hours that catering facilities may be used. Employees may not bring their own kettles or catering equipment to work without the express consent of a responsible person.
- 18.11 **Vending machines** (drinks, confectionery, sandwiches, etc.) may be provided in suitable locations for the use of employees. Drinks machines will be connected to a portable water supply. All machines will be regularly restocked, cleaned and maintained to ensure that the highest possible standards are achieved. Where necessary, temperature controls in these machines will be monitored to ensure that legislative requirements are maintained.
- 18.12 **General Health and Safety Arrangements** Smoking restrictions and high standards of hygiene must be observed in all areas where catering facilities are provided. Suitable fire extinguishers and fire blankets will be installed in any areas where cooking facilities are provided.
- 18.13 Defects in facilities and equipment must be reported to a responsible person immediately. Any case of illness that may be attributable to food hygiene problems at work must be notified without delay to a responsible person.

18.14 The following practices must be observed to ensure the safe use of catering facilities and the provision of uncontaminated foods:-

- a. Check all equipment before use to ensure that there are no visible defects. Do not use anything where a defect has been found or is suspected.
- b. Report any defects or problems to a responsible person immediately.
- c. Read and comply with all safety instructions relating to the equipment used.
- d. Do not touch plugs or other electrical equipment whilst hands are wet or when the equipment is in contact with a wet surface.
- e. Clean up any spillages from floors and work surfaces immediately.
- f. Do not use a microwave oven without fully reading and understanding the operating instructions.
- g. Do not overfill any kettle or other receptacle.
- h. Do not leave any cooking equipment unattended whilst in use.
- i. Wear gloves or use some other form of protection when handling items, which have been heated.
- j. Throw away any unwanted foods or food whose shelf life has expired; do not leave such foods in cupboards or in the refrigerator.
- k. Comply with instructions regarding smoking and hygiene standards where these apply in food preparation areas.
- l. Cover any open wounds, cuts and abrasions with suitable waterproof dressings, (Blue).
- m. Make sure that you leave the area in a clean and tidy condition.
- n. Report any illness or infectious condition transmitted by food to a responsible person.
- o. Comply with information and training provided.

18.15 **Summary:** Safe and effective use of catering facilities can be achieved by following the guidelines below:-

- a. Use equipment only when trained to do so and strictly in accordance with operating instructions and for the purpose intended.
- b. Observe good standards of hygiene and clean up all spillages without delay.
- c. Report any defects or problems to a responsible person immediately, including infectious conditions which could be transmitted through food.

19. **Hygiene (Food & General)**

19.1 High standards of personal hygiene are required of those involved in food handling under the **Food Safety (General Food Hygiene) Regulations 1995**. Catering staff must ensure that they and their clothing are clean whilst involved in the handling of foodstuffs. Employees handling open food must be provided with clean and washable protective clothing. Any cuts or abrasions on exposed parts of the skin must be covered with suitable waterproof dressings. Employees handling food substances must refrain from spitting or smoking. First aid provision must also be available.

19.2 Suitable information and training will be given to employees to enable them to understand the reasons for personal protective equipment and the extent of risks to health arising as a consequence of low hygiene standards.

19.3 Records should be kept as a matter of policy and as a demonstration that required standards are being met. Records of personal hygiene arrangements may be

indirectly kept as part of a COSHH assessment or to enable review of the suitability of personal protective equipment. Matters which may be recorded include:-

- a. Provision and replacement of washable protective clothing.
- b. Laundering arrangements for protective clothing.
- c. Provision of washing and sanitary facilities.
- d. Provision and use of hand cleaners and barrier creams.
- e. Training of employees in personal hygiene.
- f. Health screening, e.g. for signs of dermatitis.

19.4 Good personal hygiene practice is important in ensuring a safe and healthy place of work, in that this will help avoid adverse effects on the employee or the product. It is particularly important that high standards are maintained where employees are exposed to substances or conditions which may be hazardous to health. Appropriate COSHH training must be given. This policy highlights the standards that are required in relation to personal hygiene and the facilities available to assist employees in achieving these standards.

19.5 Managers should ensure that the following requirements are met:

- a. applicants for employment should be screened for pre-existing health conditions which may have been caused or exacerbated by poor personal hygiene (professional medical assistance and advice should be obtained where required).
- b. employees should receive sufficient information and instruction in the standards of personal hygiene that are required and the facilities that are available at the workplace to assist in achieving these standards.
- c. personal protective equipment should be stocked, issued and maintained in accordance with the Policy, and replaced or disposed of at the appropriate time.
- d. suitable laundry arrangements should be made for cleaning overalls and uniforms.
- e. suitable facilities should be arranged for itinerant workers and those on temporary or mobile sites.
- f. work conditions and facilities, including washing and sanitary conveniences, should be adequate to enable workers to maintain good standards of personal hygiene.
- g. employees should comply with Policy rules on eating, drinking and smoking at the workplace.
- h. potential hygiene problems should be dealt with quickly and effectively, taking into consideration the need for medical confidentiality where this applies.
- i. the Comhairle's disciplinary procedure should be used to improve performance for employees persistently displaying poor personal hygiene standards which put at risk the health and safety of themselves or others.

19.6 Employees are responsible for ensuring that they maintain good standards of personal hygiene whilst at the workplace and for ensuring compliance with the relevant Service working arrangements for achieving this requirement. Where problems are identified in working arrangements or facilities or with the health and safety of the individual, these must be reported to a responsible person immediately.

19.7 Employees must make full and proper use of facilities, which are provided to assist in achieving the required standards of personal hygiene. These facilities include:-

- a. Washrooms and showers.
- b. Provision of soaps, cleansers, barrier creams and after-work creams.
- c. Laundering arrangements for uniforms and overalls.

d. Personal protective equipment and clothing.

19.8 .All matters relating to personal hygiene will be handled sympathetically and, where relevant, with medical confidentiality. Employees who deliberately flout the prescribed rules on personal hygiene, which could affect the health of others or product quality, will be liable to disciplinary procedures.

- 19.9 Observing the following guidelines on personal hygiene will minimise health and safety problems:
- a. Before starting work, check that there are no signs of skin irritation or open wounds.
 - b. Cover open wounds with suitable waterproof dressings and ensure that existing dressings are clean before starting work.
 - c. Avoid direct contact with hazardous substances at work.
 - d. Ensure that protective clothing is clean, changed when necessary and regularly washed where appropriate.
 - e. Ensure that protective clothing is repaired or replaced when necessary.
 - f. Observe the rules regarding eating, drinking and smoking in the working area.
 - g. Where there is a possibility of contamination, wash hands and face before eating, drinking or smoking and thoroughly wash or shower at the end of each shift.
 - h. Wash hands before and after using toilet facilities.
 - i. Do not keep contaminated rags or materials in pockets.
 - j. Make full use of barrier creams, cleansers and other skin creams.
 - k. Refrain from spitting at the workplace.
 - l. Report any problems to a responsible person without delay.
- 19.10 Poor standards of personal hygiene increase the risk of exposure to hazardous substances and other harmful agents at the workplace. They may also cause contamination and affect the quality of the product. The following steps will reduce the risk of the adverse effects associated with poor personal hygiene:-
- a. Take responsibility for health and safety by making full and regular use of all personal hygiene facilities provided by the employer.
 - b. Follow safe systems of work to avoid creating unnecessary problems.
 - c. Report anything of concern without delay to a responsible person.

20. Violence & Aggression

- 20.1 **The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)**, requires work accidents which result in death, major injuries or specified dangerous occurrences to be reported to the appropriate Health & Safety enforcing authority. The definition of accident includes acts of violence to staff.
- 20.2 The Education Department is committed to a duty of care for all employees and through management systems of reporting and risk assessment will treat any such occurrence seriously by:
- a. Identifying the problem
 - b. Initiating data collection
 - c. Describing the particular problem
 - d. Searching for preventative measures
 - e. Designing a preventative strategy
 - f. Implementing
 - g. Monitoring.
- 20.3 The Department's policy and procedures for Security and personal safety are set out at Appendix 2.

21. Personal Safety

- 21.1 Employers are under a general duty to ensure the health, safety and welfare of employees and to provide adequate supervision **s.2 of the Health and Safety at Work etc. Act 1974**, (HSW Act). Where an employee puts his or her own health and safety at risk, the employer is required to take suitable preventive and protective measures, so far as is reasonably practicable. This may extend to disciplinary procedures and even to dismissal in extreme cases.
- 21.2 All employees must ensure that, by their own acts and omissions, they do not put at risk the health and safety of themselves or others (**s.7 HSW Act**). This requirement applies both to conduct during normal working activities and during work outside the employer's premises, for example when at or travelling to a client's site.
- 21.3 The duty is wide ranging and requires the employee to comply with agreed systems of work and not to risk injury by cutting corners. Failure to use personal protective equipment without good reason is an offence. Horseplay and practical jokes that may result in injury are a clear breach of law. Attempting to undertake a task for which the employee is not trained and authorised, such as making an electrical repair, contravenes HSW Act. An employee must co-operate with his employer to enable all statutory duties to be met. This means that, for example, employees must participate in fire evacuation drills and comply with other arrangements designed to promote their safety.
- 21.4 Indirect activities that can affect health and safety must be taken into account. For example, the use of radios playing music at excessively high volume could mask the sound of a warning signal or alarm. In addition, the use of "personal stereos" may distract concentration and render the wearer more likely to make mistakes or errors of judgement that could result in injury.
- 21.5 The employee must not recklessly or intentionally interfere with or misuse anything that has been provided in the interests of health, safety or welfare (**s.8 of HSW Act**). This means that it is an offence to take actions such as working with machinery after having removed safety guards or negated safety devices, blocking open fire doors, misappropriating first aid supplies, switching off local exhaust ventilation or discharging fire extinguishers for personal amusement. All these actions threaten the life and livelihood of the individual concerned and of other people.
- 21.6 **Regulation 12 of the Management of Health and Safety at Work Regulations 1992**, requires all employees to act in accordance with the information and training that they have been given. They must inform their employer of any shortcomings relating to the health and safety arrangements. Employees who feel that there are significant risks arising from a work activity, should obtain clarification before compromising their own safety by risking exposure to the hazards.
- 21.7 **Record Keeping** the standards of safety achieved by individual employees may be conveniently incorporated into an appraisal or review scheme that addresses individual performance. The frequency of review will depend upon the risks involved and the internal structure of the Department.
- 21.8 Where use of radios at the workplace results in a volume at or above the first action level (85 dB(A) time-weighted average), as specified in the **Noise at Work Regulations 1989**, records of noise assessments should include measurements with the radio in use.

- 21.9 Records should be kept as a matter of policy regarding issue, servicing and replacement of any clothing or equipment that is provided to enhance personal safety. Examples include personal protective clothing and equipment, and lock-off keys, etc.
- 21.10 All safe systems of work in areas of significant risk should be in writing, and made known to employees. Records of training in safe systems and personal safety should be kept, as should the details of any disciplinary procedures that have been found necessary in an attempt to improve performance.
- 21.11 The Education Department is committed to taking all reasonable precautions necessary to secure the health and safety of those carrying out work activities. This commitment extends to the protection of those employees who work away from their main premises.
- 21.12 Safe working procedures will be devised for all work activities, which pose a significant risk to health and safety. These must be complied with at all times. Failure to work in accordance with agreed procedures reduces the safety of people at work, is a contravention of the Education Department safety policy and may constitute a criminal offence.
- 21.13 **Working Alone** the Education Department will ensure that the need for employees to work alone will be avoided wherever reasonably practicable. Where employees do work alone, personal safety must be a priority at all times. This includes ensuring that there is regular communication with a responsible person before, during and upon completion of the work. Lone workers must take the necessary steps to ensure that they do not put themselves at significant risk during the work activity, when using work equipment or as a consequence of the work environment.
- 21.14 **Use of Personal Equipment** Radios, "walkman" and other items, which could cause distraction, may only be used with the knowledge and approval of a responsible person. In any event, audio systems for personal entertainment must not be used where these could prevent audibility of alarms. Exposure to excessive noise levels from personal stereo equipment may damage the hearing mechanism. **Management before use must approve other personally owned equipment or tools.**
- 21.15 **Management Responsibility** Managers are responsible for the adequate supervision of employees to ensure that they do not endanger themselves or others by work activities, practical jokes or horseplay. This requires the prevention of unapproved systems or practices, unauthorised work activities, and all other unsafe acts.
- 21.16 Personal audio systems and other audio and visual systems can only be used where these do not pose a risk to health and safety of individuals. All personal equipment (kettles, tools, etc) must be authorised, tested, and approved by management and competent person(s).
- 21.17 Attitudes to personal safety should be reviewed as part of a formal performance appraisal. Appropriate records must be kept. Employees must be prevented from using equipment or undertaking a task, which could be detrimental to their health and safety.

- 21.18 Managers of employees require additional consideration whose duties take them away from the normal workplace, or where employees are required to work alone. Any special arrangements will depend upon the nature of the risk, but may include provision of personal alarms, communication equipment or other safety devices.
- 21.19 Managers must ensure that employees have received sufficient information and training regarding their personal safety to enable them to work without risk, so far as is reasonably practicable.
- 21.20 **Employee Responsibility** Employees must ensure that they do not compromise their own health and safety whilst at work. If there is a perceived shortcoming in the arrangements for the work activity, which could affect the personal safety of any individual, this must be reported to a responsible person. Employees must work in accordance with safe working procedures at all times, and comply with the Education Department policy on all matters.
- 21.21 Where work is undertaken away from the main premises, thought and attention must be given to any hazards that are present in and around the working area. Employees must also familiarise themselves with safe working procedures, including emergency arrangements, applicable to all premises, which they enter. They should report any situations presenting a risk to personal safety to a responsible person immediately, so that measures can be taken to rectify the situation.
- 21.22 The following actions should be followed to ensure personal safety.
- a. always working in accordance with designated safe systems of work.
 - b. promptly reporting to a manager or another responsible person any condition or activity which appears to be of significant risk.
 - c. never deliberately misusing plant or equipment.
 - d. not tampering with anything that provided in the interests of health and safety.
 - e. ensuring that safety alarms and warnings can be heard at all times.
 - f. actively participating in evacuation drills and with other arrangements.
 - g. if working alone, maintaining regular communication with a responsible person.
 - h. informing a responsible person of any personal health condition, which may be affected by the work activity.
 - i. not undertaking tasks without having received authorisation and training.
 - j. only bringing personal equipment to work where this is expressly permitted.
 - k. never indulging in horseplay.
- 21.23 Personal safety must be taken into consideration at all times at work. The most important things to remember are: -
- a. Working in accordance with instructions and training.
 - b. Considering the implications and consequences of actions before undertaking every task.
 - c. Not undertaking a task involving a risk which cannot be controlled.

22 Disabled Persons

- 22.1 **The Health and Safety at Work etc. Act 1974**, (HSW Act) requires employers to exercise a general duty of care towards all their employees (**s.2**). Most disabled employees neither need nor seek safety systems beyond those in place for the workforce generally. The **Employment Medical Advisory Service (EMAS)** of the

Health and Safety Executive will advise on health and safety concerns relating to individual employees where more complex problems arise. **In practice, the duty of care extends to ensuring that disabled people are not exposed to workplace environments that are hazardous as a consequence of the particular disability** (such as requiring a deaf person to work in a situation where reacting to sound is an important factor in personal safety).

- 22.2 An employer must give special attention to the integration of a disabled employee within the overall workforce. Although employing disabled people never compromises health and safety standards, there may be a requirement to provide information or instigate training for other staff to ensure that both routine and emergency practices work effectively.
- 22.3 **The Disability Discrimination Act 1995**, (DDA) is being enforced in stages, but most of the key measures came into force on 2 December 1996. Much of the legislation relies on vague terms like "normal" and "substantial" and may therefore require definition by the courts, in the form of case law, before the real effects of the legislation will become apparent. The DDA allows for the formation of a Government advisory body, the National Disability Council, to advise on cases of discrimination. Once the DDA is fully in force, previous measures requiring an employer to employ a "quota" of disabled persons, and the requirement for disabled to register, will be removed. **Where an employer has 20 or more employees, he must comply with the employment provisions of the DDA; this figure includes temporary and part-time staff, "homeworkers" and contract workers.** The DDA is very specific in its definition of disability; this may include mental, physical and/or sensory impairment and progressive conditions such as cancer and AIDS are also included from the time at which the symptoms develop.
- 22.4 **Section 6(1)** of the DDA requires that where the employer makes any arrangements or where any premises physical feature places the disabled person at a substantial disadvantage compared to persons who are not disabled, the employer and his organisation have the duty to take steps that are **"reasonable in the circumstances"** to prevent that physical feature or those arrangements having this particular effect.
- 22.5 Employers should keep records of disabled persons in the workforce and records of any special equipment provided or workplace adaptations made for the benefit of disabled persons. Any training provided to disabled persons should also be recorded.
- 22.6 The Education Department aims to provide full and fair opportunity for employment for disabled applicants and to ensure, through training and practical assistance where required, their continued employment and promotion. Employees who become disabled will be accorded every possible opportunity for maintaining their position or for retraining if appropriate.
- 22.7 The Department's health and safety policy has been prepared to ensure a safe and healthy environment for all employees. It recognises that those employees who require extra equipment, facility or assistance, both routinely and in an emergency, will have such needs met. The Department will keep a record of all personnel who, by reason of disability, are thought to have particular requirements relating to the Education Department health and safety practices. The record will be regularly reviewed in terms of:

- a. The nature of the disability and any limitations it places on either an individual's physical and/or intellectual function.
- b. The extent to which the individual requires changes (if at all) in the work environment or workplace practices.
- c. The nature of any routine practical assistance or supervision required of other people arising from the disability.
- d. Any implications that would arise on an emergency basis, either as a consequence of the disability (such as an epileptic fit) or in the workplace (such as emergency evacuation of the premises).
- e. What action has been taken on the basis of the above factors?
- f. Procedures for Dealing with Health and Safety Issues.
- g. Employees should report any concerns regarding disability and health and safety to their manager or supervisor. Where a disabled (or any other) employee raises a matter concerning health and safety related to his or her employment, the Education Department will make all necessary investigations so as to identify the relevant details and proceed with all measures necessary to resolve the matter.

22.8 As a matter of good practice, the Education Department will ensure that the workforce generally is advised of any relevant health and safety issue that affects an individual disabled employee. Research shows disabled people in work to have better safety records than other employees. As in all health and safety matters, experience proves that anticipating hazardous situations before they actually arise is the best method of creating and maintaining a healthy environment.

22.9 Employees with physical disabilities may require specific safety measures in their workplace. These could include:

- a. adaptation of machinery and equipment.
- b. re-locating of shelves or electrical sockets and switches.
- c. changes in lighting types and levels.
- d. provision of visual as well as audible systems for communication.
- e. the importance of remembering that mobility for all employees is jeopardised by blocked walkways, badly sited and/or badly designed workstations and equipment and by trailing wires.
- f. in the case of employees with learning disabilities consideration being given to:
 - the amount of supervision (if any) required in order to complete tasks safely.
 - the need to ensure that basic health and safety rules are conveyed, understood and carried out.
 - the needs to ensure that the actions required in the event of an emergency are understood and likely to be complied with.

Good health and safety procedures will identify how to anticipate, and overcome, any potential problems likely to confront disabled employees in the workforce.

22.10 Disabled people constitute an important and valuable part of the Education Department workforce. An effective health and safety policy will fully incorporate their individual needs provided that:

- a. the actual implications of the disability in the workplace have been assessed and understood.
- b. the workforce is encouraged and trained to recognise and respond to any health and safety implications arising from employing a disabled person.

- c. the Education Department is committed to employing disabled people on an open and fair basis because of the qualities and skills that they contribute to the workplace and the workforce.

23. Access & Egress

- 23.1 The employer must provide and maintain, so far as is reasonably practicable, safe access to, and egress from, the workplace (**s.2 of the Health and Safety at Work etc. Act 1974**). The requirement applies to both normal work activities and those carried out during the course of refurbishment and maintenance work. Duties are imposed on employees and non-employees carrying out work on Comhairle premises. The requirements for safe access and egress are wide-ranging; employers must ensure that the basic structure of the workplace is safe, e.g. that flooring is sound and free from obstructions, and that the environment is safe, e.g. the suitability of lighting in passageways. The employer is responsible for any route designated for use by an employee. This may extend, for example in the case of shared access or common parts, to areas outside the employer's direct control. Access equipment, such as gangways or ladders, must be of sound construction and in a good state of repair. **Regulation 5 of the Construction (Health, Safety and Welfare) Regulations 1996** requires safe access and egress to and from the workplace. **Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992** requires that workplace floors and traffic route surfaces are suitable for the purpose. When assessing suitability of means of access and egress, factors that need to be taken into consideration include obstructions, distance of travel, width/size of passageways, the presence of stairs, escalators and doorways, ease of access through secured or controlled areas, access to parts of machinery (including for cleaning and maintenance) and the requirements of any fire certificate. **Regulation 15 of the Electricity at Work Regulations 1989** requires that there is adequate means of access to electrical equipment so as to prevent danger and/or risk of injury.
- 23.2 There should be regular inspections of access/egress routes. Typical items which should be checked and recorded during an inspection include:
- a. Suitability and condition of flooring.
 - b. Presence of obstructions in walkways.
 - c. Items stored on top of cabinets in walkways.
 - d. Encroachment of furniture and equipment.
 - e. Ease of passage through security doors during emergency evacuation.
 - f. Presence and condition of emergency lighting (where relevant).
 - g. Suitability of lighting.
 - h. Handrails on stairways and guard rails on the edges of ledges, etc.
 - i. Facilities for personnel with limited mobility.
 - j. Condition and ease of use of doors.
 - k. Presence of any blockages in walkways which could prevent access/egress.
 - l. Suitability of access to electrical equipment.
 - m. Details, duration and condition of any temporary access arrangements.
 - n. Adequate consideration of adverse environmental conditions.
- 23.3 The Education Department will, in consultation with workers and their representatives, ensure that:
- a. Articles or substances do not impede safe access and egress at the workplace and that objects, which may restrict safe movement within the workplace, are removed immediately.
 - b. Employees are encouraged to report any situation where safe access and egress is restricted or obstructed and arrange for the appropriate remedial action to be taken immediately.

- c. Access equipment is regularly inspected to ensure that it is maintained in a safe condition.

23.4 The following points will assist in ensuring that safe access and egress is achieved.

- a. Do not store objects on the floor or in walkways; return articles or equipment to their designated storage point when they are no longer required.
- b. Ensure that articles are not stored precariously on top of cabinets or on shelves. These could fall on to a passer-by.
- c. Carry out regular inspections of walkways to ensure that they are free from obstructions.
- d. Dispose of obsolete and waste items immediately.
- e. Regularly check the suitability of lighting.
- f. Ensure that flooring is suitable for the purpose and is maintained in safe condition.
- g. Regularly check that there is sufficient space to move freely.
- h. Closely monitor the working activities of contractors on the site, to ensure that they do not hinder safe access/egress of personnel.
- i. Ensure that access equipment, e.g. ladders and kick-stools, is suitable for the purpose and maintained in safe condition.
- j. Comply with safe working arrangements in areas of high risk or security.

24. Housekeeping

24.1 **Section 2 of the Health and Safety at Work etc. Act 1974** (HSW Act) places a duty upon the employer to ensure, so far as is reasonably practicable, a safe place of work and safe systems of work. This cannot be achieved without good standards of housekeeping. In particular, **every workplace** must be kept clean and tidy to avoid the creation of hazards. All workplaces must comply with the relevant provisions of the **Workplace (Health, Safety and Welfare) Regulations 1992. Regulation 9** requires that **waste materials must not be allowed to accumulate, except in suitable receptacles**; workplaces and inherent furniture, furnishing and fittings must be kept sufficiently clean; floor, wall and ceiling surfaces of internal workplaces must be capable of being cleaned. **Regulation 12** requires workplace floors and traffic route surfaces, as far as is reasonably practicable, **to be kept free from obstructions, articles or substances likely to cause slips, trips or falls.**

24.2 Poor standards of housekeeping are a common cause of injury and damage at work and can create unnecessary fire hazards. Low standards often result from poor working practices and/or organisational deficiencies within the workplace.

24.3 The Education Department recognises the need to ensure that adequate standards of housekeeping are achieved, and that it attains the highest possible standards and is in accordance with its commitment to provide a safe place of work.

24.4 Examples of poor working practices include:

- a. Untidiness.
- b. Lack of thought and consideration by the individual.
- c. Ignoring rules and procedures.

24.5 Poor housekeeping resulting from organisational arrangements includes:

- a. Badly designed systems of work.
 - b. Insufficient space for work activity.
 - c. Inadequate storage facilities.
 - d. Lack of training or information.
 - e. Poor supervision.
 - f. Infrequency or inefficiency of cleaning arrangements.
- 24.6 Designated personnel are to carry out workplace inspections on a regular basis to identify areas where standards require improvement. These areas will be highlighted for remedial action.
- 24.7 Storage areas will have been defined within the workplace. Requirements should be reviewed periodically and whenever refurbishment or relocation takes place. Articles and substances will be stored in defined areas at all times.
- 24.8 Floors will be cleaned on a regular basis and waste bins should be emptied daily. Rubbish will be kept in suitable containers and should not be allowed to overflow. Combustible waste must be kept away from ignition sources. Large items of rubbish that pose a particular hazard, such as obsolete items of furniture, should be removed without delay. Managers and supervisors must ensure that their areas of responsibility maintain a satisfactory standard of housekeeping at all times. The following duties apply:
- a. ensuring that articles are not left in walkways or on the floor.
 - b. ensuring that there are no trailing cables.
 - c. ensuring that articles are stored in designated places.
 - d. regularly checking the working area to ensure that satisfactory standards of housekeeping are maintained.
 - e. arranging for obsolete or unwanted articles of furniture to be removed.
- 24.9 Employees are responsible for the following:
- a. Ensuring that they do not allow waste materials to accumulate in their working area, and keeping their workstations tidy.
 - b. Acting in accordance with information and training relating to housekeeping in the workplace.
 - c. Reporting problems relating to storage or removal of articles to a responsible person.
- 24.10 In order to ensure that satisfactory standards of housekeeping are achieved the following arrangements should be adhered to.
- a. Checking that the workplace is free from hazards at the beginning of each day.
 - b. Always putting articles away immediately after use.
 - c. Clearing up any spillage's, etc., immediately.
 - d. not allowing objects to protrude into walkways.
 - e. Ensuring that waste materials are properly stored and removed on a regular basis.
 - f. Ensuring that special arrangements are made for the removal of unusual or extra large objects or substances.
 - g. Not storing articles or substances anywhere other than in designated areas.
 - h. Ensuring the workplace is tidy and articles and substances have been put away at the end of the working day or shift.

25. Temperature

- 25.1 Every employer has a duty under **s.2 of the Health and Safety at Work etc. Act 1974** (HSW Act) to ensure the health, safety and welfare at work of all employees, so far as is reasonably practicable. Part of this duty is the maintenance of an environment that is free from risk. A comfortable work environment will depend upon many factors, most importantly temperature, humidity levels and the rate of airflow. **The Workplace (Health, Safety and Welfare) Regulations 1992** require temperatures in factories, offices, shops and other workplaces to be reasonable for the comfort of persons employed. It is suggested that 16°C is reasonable for sedentary work but where physical effort and work of a strenuous nature is undertaken, this may drop to 13°C (factors such as humidity, ventilation and thermometer positions should be taken into account). There is no statutory maximum temperature, although under the **Fuel and Electricity (Control)(Amendment) Order 1980** it is not permitted to specifically use energy to create a temperature greater than 19°C. The general duties under HSW Act require employers to ensure that work environments do not become excessively hot to the point that employees' health and safety is adversely affected.
- 25.2 Where it is not reasonably practicable to provide heating throughout an area, such as where members of the public regularly come in and out, provision of localised heating for employees will be sufficient. In offices it is sufficient to locate a thermometer on each floor of the building.
- 25.3 **The Health and Safety (Display Screen Equipment) Regulations 1992** state that display screen equipment must not produce excess heat which could cause discomfort to operators or users and that an adequate level of humidity must be established and maintained. Electronic equipment can be a source of dry heat, which can affect the thermal environment at the workstation. Ventilation and humidity should be maintained at levels, which prevent discomfort and problems of sore eyes.
- 25.4 For workers out of doors, a risk assessment should be carried out as required by **Regulation 3 of the Management of Health and Safety at Work Regulations 1992** in order to identify and protect against risks presented by extremes of temperature. It may be found necessary to provide suitable shelters on outdoor sites, or personal protective clothing may be required to maintain a comfortable body temperature, in which case an assessment should be carried out under the **Personal Protective Equipment at Work Regulations 1992**.
- 25.5 It is advisable that the following information is recorded and kept:-
1. Dates and details of maintenance of air conditioning and heating or equipment.
 2. Actions taken in response to defects identified within a maintenance report.
 3. Details of complaints made by employees concerning the thermal environment, for example:-
 - a) Who made the complaint — an individual, a group or a whole office?
 - b) What part of the workplace is affected — exact location of problem?
 - c) What the complaint is about — temperature, humidity or draughts.
 - d) When the problem was raised — date, time of year (weather conditions outside).
 - e) What the temperature was at the time of the complaint.
 - f) What the status of the air conditioning systems was at the time, functioning, not functioning, faulty.

- g) Other underlying reasons for the complaint, e.g. resistance to change dissatisfaction with job or workstation, etc.
4. Action taken to rectify the cause of complaint at the time and proposed action to ensure user comfort and efficiency in the long term.
- 25.6 The Education Department acknowledges that problems can arise within both natural and artificially created environments. It is our policy to ensure that employees are provided with a comfortable working environment suited to the type of work being undertaken. Where air conditioning systems are installed, these will be maintained regularly and employees will be advised on how best to use them in order to ensure effectiveness. Areas that do not have air conditioning systems will be subject to temperature variations throughout the day. We will endeavour to keep these within a comfortable range.
- 25.7 Any employee who has reason to believe that work temperatures are too high or too low should raise the matter with the manager and the Education Department will, in consultation with workers and their representatives:-
- a. Ensure that any air conditioning systems are adequately maintained and are functioning correctly.
 - b. Where air vents are used ensure that they are positioned a reasonable distance from workstations, which should be located out of direct line of airflow where draughts could be a problem.
 - c. Maintain the temperature for sedentary work in the range of 19–23°C, minimum 16°C and maximum 25°C.
 - d. Procedures for Dealing with Health and Safety Issues.
 - e. Where an employee raises a matter related to health and safety concerning the environment he or she should inform a responsible person immediately. The Education Department will:
 - Take all necessary steps to investigate the circumstances.
 - Take corrective measures where appropriate.
 - Advise the employee of actions taken or to be taken.
- 25.8 A poor thermal environment can have an adverse effect on employees' comfort, **physiological well-being, work performance and efficiency (including safety implications)** and attitude to work. In order to facilitate effective climatic control and to avoid unnecessary discomfort the following precautions should be taken:
- a. In artificially created thermal environments where thermostats are used, windows should not be opened as this can upset the balance and render the air conditioning ineffective.
 - b. Where employees have individual control over temperature regulation at their workstations they should not frequently alter the temperature from one extreme to the other. It is far more effective to have it set on a medium setting and be given the chance to stabilise. The effects on work colleagues should also be considered.
 - c. Inappropriate clothing and/or local heating or cooling of limited skin areas can upset normal physiological temperature regulation. Employees who have the use of fans or heaters should not place them too close to the body. Where there are several pieces of electrical equipment or heat-generating plant or machinery, there should be some form of ducting that directs heat emitted away from the workers.
 - d. Do not block vents in the air conditioning system, as this will create a knock-on effect elsewhere in the system.

- e. Report any defects in air conditioning or heating immediately to a responsible person.

26. Blood or Body Fluid Spillages or exposure

- 26.1 The employer must provide a place of work that is safe and without risks to health, so far as is reasonably practicable (**s.2 of the Health and Safety at Work etc. Act 1974**). The requirement extends to taking protective measures in the case of any work activity that may involve a risk of transmission of either the Hepatitis B or Human Immuno-deficiency Virus (HIV) that leads to Acquired Immune Deficiency Syndrome (AIDS).
- 26.2 Every employer must take suitable precautions to ensure that risks of infection from blood spillages (this is not limited to HIV) are eliminated or minimised. Where syringes are found, for example in the course normal working duties, these must be stored and disposed of in a responsible and correct manner.

27. Construction Design & Management (CDM)

- 27.1 The Education Department is committed to ensuring that any construction work carried out is done so without risks to the health and safety of its employees and others. The Department will ensure, via the Comhairle's Technical Services Department, that such work is planned in accordance with relevant standards or statutory provisions and that employees are provided with the necessary information relating to any risks arising out of the work, the preventive or protective measures to be taken, and the procedures required in the event of serious or imminent danger. **The Education Department will ensure that no construction commences until an adequate health and safety plan covering the work has been prepared.**
- 27.2 Where CDM requirements do not apply, it will be ensured that construction work is carried out to the highest health and safety standards possible in compliance with other current and related statutory provisions.

Authorisation of contractors on School Premises

- 27.3 In order to monitor systematically the activities of Contractors on premises occupied by the Comhairle, there is a formal signing in procedure whereby the person in charge of individual premises grants permission to the contractor to enter the premises, or the site, to carry out work. This system is necessary to ensure that premises managers are aware of the presence of contractors on site and to satisfy themselves that a safe method of carrying out the work is in place. The system also allows premises managers to inform contractors of the presence of other contractors on the site or of any other particular hazards that are known to exist.
- 27.4 For these arrangements to operate effectively and as part of a normal routine it is essential that contractors, premises managers and technical services staff all work together to ensure that the requirements of the system are complied with by all concerned and that there is a widespread recognition of the improved level of safety which can be achieved.

27.5 In conjunction with this authorisation system, a series of Site Safety Rules have been introduced for contractors working on Comhairle premises. Where particular hazards are known to exist on any site, or there is a need for particular local adjustment, these rules will be supplemented for individual premises. It is important, to ensure the smooth working of the scheme, that any operational difficulties or queries are brought to the attention of Technical Services staff as soon as they arise.

27.6 Schools should take specific note of the following health and safety measures.

- a. In all circumstances where contractors are working in schools there has to be a 'Site Contact Person'. The Site Contact Person will be the school liaison officer with contractors and the Technical Services Department. This person should be the Headteacher or a senior member of staff nominated by the Headteacher who will receive training in their role and responsibilities from the Comhairle's Health & Safety Officer as necessary. Training requirements should be identified in consultation with the school's Business Support Officer.
- b. All contractors should obtain the permission of the Headteacher or the designated member of the senior management team before starting any work in the school and should be given a clear statement of relevant school rules and emergency procedures.
- c. All contractors should be asked to sign in and out of school premises and indicate the reason for their visit and the likely duration of their stay. Schools must have a signing in/signing out system in operation and use it in all circumstances. Guidance on the nature and operation of the appropriate systems may be obtained from the Comhairle's Legal Services Section (who may be approached through the Department of Education or the school's Business Support Officer).
- d. School staff should be aware at all times of the ongoing progress of the work and its possible impact on school and pupil activities. Staff must be advised that contractors' areas of operations, be they major construction sites or minor works, are not areas that should be frequented by staff or pupils. Only those persons who have received appropriate training and who are wearing appropriate safety equipment should go on site. The only person who should normally have to visit the site of on-going works should be the site contact person. Should any other person require to visit the site of ongoing works they must first consult with the Technical Services Department to ensure that appropriate arrangements are put in place to ensure their safety.

27.7 Authorisation forms have been issued to every school. (Further copies can be obtained through Business Support Officers.) The authorisation form contains 4 sections:

Section 1 – To be completed by the person authorising the Contractors to work on site.

In most cases, this will be completed on the premises by the premises manager and will be based on information provided by the contractor. On larger projects or where a "permit to work" is required, this part of the authorisation may be completed in whole or in part by Technical Services staff, in which case, the contractor will have a partially completed authorisation in his possession when he arrives at the site.

Of particular importance are the dates during which work is to be carried out. Where the contractor has not completed the work by the expiry date of the authorisation, i.e. the “date work to finish”, then further written authorisation is required from the person authorising the work.

If the work extends beyond 1 day, the contractor is to report his presence on site to school management on a daily basis. This includes days covered by the authorisation.

Section 2 – To be completed by the Contractor.

The contractor is to declare any industrial gases/flammable substances/low flashpoint materials that he will be using. Similarly he requires to declare if he will be carrying out any “hot work”. A “permit to work “system for certain high risk operations is in operation and these permits to work will only be issued by Technical Services staff.

When contractors receive an order that involves any of the high risk items identified at section 2, they should immediately contact the ordering officer for a permit to work. In any event, the Contractor is required to sign the authorisation form which also acts as an acknowledgement that they have received and understood the site rules and are familiar with the emergency procedures for that particular site.

Section 3 – To be completed by the person in charge of the premises.

The “any other comments” element of this section is for discretionary use by the person in charge of the premises only. In all cases, Section 3 is to be signed and dated by the person in charge of the premises.

Section 4 – Permit to Work authorisation will be completed by a member of Technical Services Dept. staff.

In the event of queries concerning the above please contact either

- (a) The officer who ordered the work or
- (b) Marten James, Principal Property Maintenance Officer or
- (c) Roy Cameron , Assistant Director.

By way of further information from HSE on controlling the work of contractors on School premises, you are recommended to download the following publication from the HSE website. Although the text is very much geared towards the schools system in England, the safety related advice is given on a UK basis.

<http://www.hse.gov.uk/pubns/iacl98.htm>

28. Ladder Use

Legal Requirements

- 28.1 There are specific duties that require the employer to ensure that employees are suitably trained for the tasks that they are to undertake. This duty extends to the safe use of ladders. **s.2 of the Health and Safety at Work etc. Act 1974 Schedule 5 to the Construction (Health, Safety and Welfare) Regulations 1996** contains certain requirements relating to the use and construction of ladders. This information

must be effectively communicated to employees. **Regulation 9 of the Provision and Use of Work Equipment Regulations 1998** requires that all persons who use work equipment receive adequate training in methods to be adopted during use, risks associated with such use and the precautions that must be taken. **Regulation 3 of the Management of Health and Safety at Work Regulations 1992** requires that a formalised **Risk Assessment** be carried out to determine the risks associated with working operations. The assessment will need to identify risks both to employees and to any other person who may be affected. **Construction (Health, Safety and Welfare) Regulations 1996 Regulations 5 and 6** relate to the use of ladders. **Regulation 5** requires that places of work are safe and without risks to health for persons working at them having appropriate access and egress. In addition, no one should be able to gain access (unauthorised persons - children), to these if they are unsafe or pose a risk to health (which would require the removing of ladders from scaffolds or other structures which are incomplete or not in use). **(HS(G)150) Health & Safety in Construction – Best Practice within the Construction Industry. Regulation 6** deals with the prevention of falls (both on the level and from heights). More specifically **Regulation 6 (5)** requires that **no ladder is used as a place of work** (or a means of access to or egress from such a place), unless it is reasonable having regard for the work being completed, its duration and the risks arising to any person out of the use of such equipment. **(Short duration work - 4 hours maximum). Regulation 6(6)** requires that when ladders are used, they comply with the requirements of Schedule 5 of the regulation, excluding the earlier requirements (contained in regulation 6(3) relating to edge protection, fall prevention equipment, etc.). Schedule 5 requires that when ladders are used, they rest on stable, level and firm surfaces which are capable of supporting the loads to be placed on them; are suitable and of sufficient strength; are erected so that they cannot be displaced; adequately secured or footed; extend adequately above the resting point, unless an appropriate handhold is provided; and for ladders extending a vertical distance of 9m or more, safe landing areas or rest platforms must be provided.

- 28.2 Ladders are defined as "Work Equipment" for the purposes of the **Provision and Use of Work Equipment Regulations 1998. (PUWER)** Ladders first used after 1.1.93 will need to meet all of the requirements contained in the Regulations. The following summarises the requirements of PUWER in relation to ladders: -
- a. Ladders shall be constructed or adapted to be suitable for their intended purpose taking into consideration working conditions and risks in the premises or undertaking when selecting the ladder to be used.
 - b. Ladders shall be maintained in an efficient state and in efficient working order and good repair, and an inspection / maintenance log is required and it shall be kept up-to-date.
 - c. Where there is a specific risk presented by the use of ladders, their use shall be restricted to persons given the task of using them and repairs, modifications, maintenance or servicing shall be restricted to persons specifically designated to perform operations of that description.
 - d. Persons using ladders shall have available to them adequate information and, where appropriate, written instructions pertaining to their use; adequate training is also essential.
 - e. Ladders provided for use in premises or undertakings must comply with any British enactment of a relevant EU Directive (CE) if the ladder was provided for use for the first time after 31.12.92. This duty on employers complements those on manufacturers and suppliers contained in other legislation, such as s.6 of HSW Act, with regard to the initial integrity of the equipment.

28.3 **Record Keeping:** legislation requires ladders to be maintained. In order to achieve this they need regular inspection. Records are important in order to ensure that ladders are initially safe and kept safe throughout their working life. Records should be kept of:

1. Date of purchase of ladder.
2. Manufacturer's or supplier's name.
3. Identification mark.
4. Intended use.
5. Dates inspected.
6. Problems revealed through inspection, i.e.:
 - a. Defects.
 - b. Deterioration of previous repair.
 - c. Paint or varnish covering wooden ladders.
 - d. Warning sign missing from metal ladders informing that they are not to be used near overhead lines.
 - e. Damaged or worn stiles, particularly at the top or bottom of the ladder
 - f. Broken, missing, loose or worn rungs and treads
 - g. Mud or grease on rungs
 - h. Rungs or treads supported solely by nails or spikes, etc.
 - i. Decayed timber, corrosion of fittings
 - j. Insecure tie-rods
 - k. Warping, sagging or distortion — check that the ladder stands firmly
 - l. Condition of ropes, cords, pulleys, hinges and other fittings.
7. Action taken following inspection, i.e. repair, removal from service or no action required.
8. Dates maintenance carried out, action carried out during maintenance and date for next inspection or maintenance.
9. Anticipated life of ladder.
10. Training provided to users of ladders.

28.4 **General:** All reasonable steps will be taken by the Education Department to ensure the safety of employees who work with ladders. All work activity using ladders will have risk assessments carried out and as a result of those assessments suitable ladders will be provided. Control measures will be introduced to reduce the risks to a minimum and information and training will be provided to employees.

28.5 The Education Department will, in consultation with workers and their representatives:

- a. Carry out a risk assessment of work activities involving the use of ladders.
- b. Take all necessary measures to reduce any risks found as a result of the assessment.
- c. Ensure all ladders supplied are of good construction, sound material and are suitable for the tasks to be performed.
- d. Ensure all ladders used are clearly identified, regularly inspected and maintained.
- e. Maintain a records system which identifies each ladder and logs each inspection, repair and maintenance procedure undertaken.
- f. Provide appropriate information and training to employees who use ladders, including additional information and training where the ladder is used in a high risk environment or in a way which increases the risks involved.

- g. Ensure ladders are stored in a way that does not lead to warping, defects or reduction in strength.
- h. Implement a reporting system, so that any concerns, problems, risks or defects encountered while using ladders can be reported to a responsible person and the appropriate action taken.

28.6 **Safe Systems of Work:** Ladder accidents are mainly due to the following causes:-

- a. Using a ladder for the wrong purpose, e.g. as a working platform instead of scaffolding.
- b. Using the wrong type of ladder, e.g. a metal ladder near overhead electricity lines.
- c. Dropping tools or materials from a ladder due to lack of adequate means of carrying them.
- d. Inadequate securing of ladders, resulting in falls.
- e. Ladders not extending far enough above their landing place, leading to falls.
- f. Using defective or poorly maintained ladders. Many of these accidents can be avoided by adopting the following precautions:
 - Take necessary measures to reduce risks found as a result of risk assessments carried out, these will include:-
 - Selection of suitable ladders.
 - Inspection before use.
 - Keeping records of ladder identification, inspection and maintenance.
 - Correct storage between use.
 - Use of ladder at correct angle (75°, i.e. one metre out at the base for every four metres in height).
 - Secure fixing or footing during use.
 - Ensuring only one person is on the ladder at a time.
 - Ensuring suitable footwear is worn.
 - Use of tool-carrying bags to leave both hands free to hold ladder.
 - Reporting of defects and removal of ladders from service if necessary.
 - Obtain the necessary instruction, information and training concerning ladder safety.
 - Ensure that all ladders are from reputable manufacturers and suppliers
 - and that they conform to the relevant British and European standards.

28.7 **Summary**

The three most important steps with regard to ladder safety are to:

- a. Match the ladder to the job: check whether the type of work activity requires the use of a ladder and if so, whether the ladder is suitable for the task
- b. Ensure the ladder is in good condition: check that it has been inspected and stored correctly, that repairs have been carried out correctly, that it has been regularly maintained and that it is free from defect, of good construction and of sound material
- c. Ensure that the person using the ladder knows how to do so safely, has been trained and has been given any additional information relevant to the specific task being undertaken.

28.8 **Ladders will not be used unless they are secured and:**

- a. The maximum height shall be 9.144m (30 feet) measured from the ground to the user's feet.

- b. 1.067m (3 feet 6 inches) of ladder shall be above the stepping off point at scaffolding, roofs etc.
- c. No less than 1.067m (3 feet 6 inches) of ladder shall be above the user's feet at all other positions.
- d. All ladders over 3.048m (10 feet) in length shall be securely tied, or if this is not possible - footed.
- e. The regulations for tying and footing do not apply to ladders of 3.048m (10 feet) or less, unless the risk assessment specifies otherwise.

29. Tools

- 29.1 **The Health and Safety at Work etc. Act 1974** (HSW Act) requires employers to provide and maintain plant in a safe condition and without risk, so far as is reasonably practicable. This requirement of **s.2** will also apply to hand tools.
- 29.2 **Regulation 3 of the Management of Health and Safety at Work Regulations 1992** requires that employers carry out a suitable and sufficient assessment of the risks to the health and safety of their employees. Regulation 4 then requires that the employer gives effect to such arrangements as are appropriate for the planning, organisation, control, monitoring and review of preventive and protective measures.
- 29.3 **The Provision and Use of Work Equipment Regulations 1998** (PUWER) lay down the safety requirements for the use of hand tools, whether hand held and power driven or just hand operated. Regulations 5 and 6 require that tools are suitable for their intended purpose and that they are maintained in an efficient state.
- 29.4 The provisions of the **Electricity at Work Regulations 1989** (EAWR) may apply if the hand tool is electrically powered. **Section 14 of the Factories Act 1961** (fencing of machinery) may still apply to some power operated tools. Records should be kept of:
- Issue and receipt of all tools.
 - All tools returned as defective. As well as making a record of the defects the tools must themselves be clearly marked as being defective.
 - Details of examination of hand tools (in compliance with regulation 6 of PUWER).
 - Details of inspection and testing of electrically powered hand tools (in compliance with regulation 4 of EAWR).

General

- 29.5 The Education Department will, in accordance with its general duties, make a suitable and sufficient assessment of the risks to the health and safety of our employees to which they may be exposed whilst working with hand or power tools. These risks will then be controlled so far as is reasonably practicable so that neither Education Department employees nor others who could also be exposed to them will be put at risk.
- 29.6 The Education Department will, in consultation with workers and their representatives:
- Ensure that the correct tool for the job is provided.
 - Ensure that employees do not misuse tools, which can lead to damage of materials, equipment's and the tools as well as possibly leading to injury.
 - Implement a system for reporting defective tools at all workplaces.
 - Inform users of their responsibility to maintain tools and report any defects to their immediate supervisor.
 - Ensure that defective tools are taken out of use and / or returned to the stores.
 - Implement a system for the replacement of defective tools, which will be made known to all employees.
 - Arrange for tools to be repaired by trained personnel only.
 - Arrange for regular inspection of electrically powered tools in accordance with EAWR; all such tools will be tagged showing the date of the last test.

- i. Provide personal protective equipment if necessary.
 - j. Ensure that work areas are kept clear of debris and any items that may impede the safe and efficient use of tools.
 - k. Provide suitable storage facilities for tools.
- 29.7 All employees using tools will be trained in their use and the use of any associated equipment used in conjunction with the prime tool. Any employee who is not conversant with a tool must make it known to his or her supervisor.
- 29.8 To ensure the safe use of hand tools the following procedures should be followed:
- a. All portable appliances should be used in accordance with the safe system of work.
 - b. Where electric powered tools are used from a trailing lead:
 - The length of the lead should be kept to a minimum.
 - The cable should be heavy duty and capable of serving the equipment that it is to supply.
 - It should be paid out fully from any winding drum and if at all possible be protected from damage.
 - It should be laid with care to ensure that it does not present a trip hazard to others or to the user of the equipment.
 - c. When using power tools that are designed to be fitted with guards, the guards will be fitted correctly prior to the use of the tool.
 - d. Power tools must be isolated from the power source before any routine adjustments are carried out (e.g. when replacing bits or blades).
 - e. The correct fuse rating must be used for all electric tools.
 - f. When using compressed air tools:
 - Couplings should be securely attached before allowing air to flow.
 - Air compressors should be located outside the building in which the work is being conducted.
 - All hoses and couplings should be checked regularly by the user and supervisors.
 - Hoses should be routed so that they do not obstruct access, allow free movement of the tool and are not likely to become damaged whilst in use.
 - g. Supervisors should ensure that equipment and tools are properly maintained and repaired, and that correct working methods are followed and that no unsafe practices are tolerated.
 - h. Employees should use tools in the correct manner and for the correct job, using the safety devices and equipment provided, and report conditions they believe to be dangerous.
- 29.9 Hand tools of various types are used in many workplaces. The most important points with regard to their safe use are:
- a. To use the correct tool for the job, e.g. not a screwdriver as a chisel.
 - b. To report any defects found and to stop using the defective tool immediately.
 - c. To maintain the tool in a safe condition, which will involve regular inspection in the case of electrically powered tools.
 - d. Never use non-insulated tools on or near electrical appliances.
 - e. Only use non-ferrous tools for work on or near combustible or highly flammable substances.
- 29.10 **Cartridge Operated Tools:** These tools in the wrong hands can maim if not kill, and their effect is not necessarily confined to the firing area therefore operatives shall be

over 18 years of age and not suffer from colour blindness, (cartridges are identified by colour). In addition:

- a. Operatives must be fully trained on each type of cartridge tool.
- b. Operatives shall wear head, eye and ear protection when using these tools.
- c. Cartridge tools must never be carried around or left unattended when loaded by operatives.
- d. When cartridge tools are being used, the area around and behind the work should be cleared of personnel and guarded to prevent access.

2. Care must be taken when using cartridge tools to prevent:

- a. Through penetration (when the fixing goes through the material - emerging in free flight on the other side) due to using too powerful a cartridge in relation to the density of the material being fixed into.
- b. Ricochet (when the fixing is deflected after firing) caused by attempting to fix too near the edge or into too dense a material.

3. Keep cartridge tools not being used in a toolbox or container.

4. In the event of a misfire the following procedure must be followed: -

5. Hold tool against the workface for 30 seconds and pull the trigger again, if the cartridge still does not fire, wait another 30 seconds then eject the cartridge (per instructions) and return it to the manufacturer for destruction.

29.11 The storage and issue of cartridge tools will be the responsibility of a designated person who will supervise and check the acquisition, issue, use, return and maintenance of the equipment.

29.12 **Portable Electrically Operated Tools or Equipment:** Unlike most other hazards which can be seen, felt or heard there is no advanced warning of danger from electricity. Electricity can kill, therefore:

- a. All electrically operated tools should be used (where applicable) on the reduced voltage of 110 or lower if possible. If this is not possible, any tools operating at a greater voltage must be used in conjunction with a residual current device. Socket outlets and couplers for 110 volts are coloured yellow. No other type must be used, only (BS 4343) or EN equivalent.
- b. All portable electrical tools & appliances are to be appropriately tested by competent persons before being used for the first time since purchase.
- c. No personal electrical tools are to be brought into the workplace for use.
- d. All electrically operated tools should be either earthed or double insulated.
- e. Additional protection should be provided by means of a residual current device.
- f. When changes in attachments are to be made to the tool it must first be disconnected from the mains supply.
- g. Chuck keys must be kept on a clip attached to the cable and used to effect changes in attachments.
- h. Safety equipment - goggles, helmets of the correct grade must be worn as necessary when using these tools.
- i. Guards fitted on electrical tools must not be removed or interfered with in any way.
- j. Care must be exercised whilst using drills to avoid snagging and creating torque which may result in wrist sprain. Do not drill too large a hole at once, pilot holes should always be drilled firstly.
- k. Do not leave tools unattended.
- l. Do not join cables with tape.

- m. Do not allow cables to trail through water.

29.13 Internal Combustion Powered Tools or Generators

- a. All operatives must be fully trained on each type of IC powered tool before use.
- b. Plastic containers must not be used for transporting fuel unless conforming to regulations.
- c. All containers must be in good condition, leak-proof and be fitted with secure caps.
- d. Toxic gasses are emitted in the exhaust of IC Engines therefore must only be used in well-ventilated areas - never in confined spaces or inside buildings.
- e. Ear protection and other protective clothing as detailed in any assessment must be worn whilst using these tools.
- f. Ensure that all other persons are kept at a safe distance and the working area is clear of obstructions.
- g. All starting spindles & wheels must be properly guarded.
- h. Smoking will not be permitted when machines are being re-fuelled.
- i. All machines must be stopped before re-fuelling and where possible should be re-fuelled in the open air, taking care that there is no spillage.
- j. A fire extinguisher is recommended to be in the vicinity whilst re-fuelling.

29.14 LPG Hand Tools

When using LPG operated hand tools, operators should ensure that:

- a. All cylinders are firmly fixed or secured so that they cannot fall or be pulled onto their sides.
- b. The flame from any hand tool is always directed away from the cylinder and that the lighted hand tool is not placed in such a position as to cause surrounding materials to catch fire.

29.15 LPG Bitumen Boilers

When using Bitumen boilers and cauldrons, operators should ensure that,

- a. The boiler or cauldron is never left unattended with the burner alight, or with hot substances left inside it.
- b. The boiler or cauldron is never towed or transported with the burner alight.
- c. The gas cylinder is positioned at least 3 metres away from the burner equipment.
- d. Before lighting up, the burner should be removed from under the boiler, lit then replaced.
- e. Care is to be exercised to ensure that boilers do not boil over, if this occurs, the gas supply must be turned off and the cylinder moved away from any burning bitumen.
- f. A Dry Powder type of fire extinguisher is to be in the vicinity whenever appliances are being used.

30. Flammable Liquids

- 30.1 So far as is reasonably practicable, an employer must ensure the health and safety of employees whilst at work (**s.2(1) of the Health and Safety at Work etc. Act 1974** (HSW Act)). As a general requirement, **s.1 (l)(c)** of the HSW Act is concerned with the control, use and prevention of unlawful acquisition of flammable substances.

- 30.2 Work involving flammable liquids gives rise to the risk of inhalation of vapour and toxic or dermatitic effects due to contact with the liquid. Here the **Control of Substances Hazardous to Health Regulations 1999 as amended (COSHH)** are applicable.
- 30.3 The use of flammable liquids falls under the requirements of **regulation 3 of the Management of Health and Safety at Work Regulations 1992 (MHSWR)**, which stipulates that an employer must assess the risks to the health and safety of employees (and persons not in his or her employment) arising from work activities and provide adequate information about flammable liquids. Where risks identified by such an assessment cannot be adequately controlled by other means, personal protective equipment, such as eye protection to guard against liquid splashes or hand protection to guard against skin damage, must be provided and maintained in compliance with the **Personal Protective Equipment at Work Regulations 1992**.
- 30.4 **The Highly Flammable Liquids and Liquefied Petroleum Gases Regulations 1972** cover both highly flammable liquids and liquefied petroleum gases. The term "highly flammable liquid", as defined in the Regulations (regulation 2(2)), does not include LPG (liquefied petroleum gas) or any other liquefied flammable gas. The Regulations deal primarily with the safe use, handling, storage and fire and emergency arrangements of highly flammable liquids.
- 30.5 All highly flammable liquids must be stored safely in fixed storage tanks or closed vessels. In rooms where less than 50 litres of highly flammable liquid are stored, a fire-resistant bin or cupboard may be used for storage. Every storeroom or vessel used for storing highly flammable liquid must be marked with an appropriate sign, such as "**Highly Flammable**".
- 30.6 The flammable liquid must be put in suitable non-spill containers where the risk of spillage is avoided. Quantities of highly flammable liquid must be as small as reasonably practicable. Spillages must be contained and the liquid absorbed. Empty containers must be removed immediately and put in a fire-resistant storeroom or cupboard.
- 30.7 Sources of ignition, such as naked flames or cigarettes, must be removed if there is a likelihood that a dangerous concentration of vapour may build up. Materials such as cotton waste or other material contaminated with highly flammable liquid must be removed to a safe place or put in a closed metal container. Where reasonably practicable, highly flammable vapours must be prevented from escaping into the workplace. There must be safe and adequate means of escape in case of fire where highly flammable liquids are stored or manufactured. Smoking is prohibited where highly flammable liquid is present.
- 30.8 Under the **Petroleum (Consolidation) Act 1928** an application for a licence must be made to the local authority by anyone who wishes to store petroleum spirit in bulk. Up to 15 litres of petroleum spirit may be stored without a licence. Records should be kept of the following:
- a. The results of assessments using flammable liquids.
 - b. Actions taken as a result of risk assessments.
 - c. The provision of training.
 - d. Information given to employees.

30.9 General.

All reasonable steps will be taken by the Education Department to ensure the health and safety of employees who work with flammable liquids. The Education Department acknowledges that health and safety hazards may arise from the use of flammable liquids. It is the intention of the Education Department to ensure that any risks are reduced to a minimum, and requires the total co-operation of all members of management and staff.

30.10 The Education Department will, in consultation with workers and their representatives:

- a. Carry out assessments of work activities.
- b. So far as is reasonably practicable, take measures to reduce the risks found as a result of assessments.
- c. Ensure that all storage and transport vessels are appropriate and adequate.
- d. Provide suitable and well-maintained emergency fire-fighting equipment.
- e. Advise all employees, including new employees, who work or will work with flammable liquids of the risks to health and safety and the results of assessments.

30.11 Where an employee raises a problem related to health and safety in the use of flammable liquids, the Education Department will:-

- a. Take all necessary steps to investigate the circumstances.
- b. Take corrective measures where appropriate.
- c. Advise the employee of actions taken.

30.12 Where a problem arises in the use, handling or storage of flammable liquids, the employee must adopt the following procedure:

- a. Inform a responsible person immediately, usually a supervisor or manager
- b. In the case of an accident or emergency, respond quickly and efficiently to ensure the appropriate action is taken.

30.13 The main hazards involving flammable liquids are fire and explosion, toxic vapours and toxic or dermatitic effects due to contact with the skin. The risk of accidents can be reduced by adhering to the requirements of **the Highly Flammable Liquids and Liquefied Petroleum Gases Regulations 1972** and by adopting the following precautions:-

- a. Make sure that all persons who are, or will be, using flammable liquids are adequately trained.
- b. Ensure that leaks of liquid or vapour cannot occur, by using containers which are adequately sealed and undamaged.
- c. Where drums are stored in an open-air compound, the compound must be securely fenced and surrounded by a bund sufficient to contain the contents of the largest drum plus 10%.
- d. Transfer of liquid from one vessel to another should be carried out in the open air using proprietary syphonic devices or funnels and with suitable protective clothing.
- e. Ensure there is adequate ventilation where flammable liquids are used in enclosed areas. The standard of ventilation will depend on the nature of the work and the particular substance in use.

- f. Where flammable liquids are used or stored, make sure that no sources of ignition are present, such as naked lights or unprotected electrical equipment. Smoking must be prohibited and notices displayed to that effect.
- g. Make sure that all fire-fighting equipment is well-maintained, suitable and readily available for use. Staff who use flammable liquids must be trained in the use of fire extinguishers and any other measures to be taken in an emergency.
- h. Ensure workplaces are kept free from rubbish and waste material at all times. Waste flammable liquids must be disposed of immediately.

31. Gas Safety

- 31.1 **The provisions relating to gas fittings include the requirements for such work to be carried out by competent persons and for their employers to be members of a class of persons approved by the HSE. As at November 1994, the Council for Registered Gas Installers (CORGI) is the only body approved for the purposes of these regulations.** These provisions also relate to self-employed persons. **It is an offence to falsely pretend to be an HSE approved class of person.** Other provisions relate to gas fittings include requirements imposed on materials and workmanship, general safety precautions, including those associated with gas storage vessels and specific appliances fuelled by liquefied petroleum gas, the prevention of leaks (escapes), protecting the fittings from damage and the provisions of emergency controls. It is the responsibility of the employer or self-employed person to ensure that any relevant work carried out on their premises is undertaken by an **“approved person”**.
- 31.2 The **Gas Safety (Installations and Use) (Amendment) Regulations 1997**, introduced specific duties, with regards to gas fittings, on **landlords who allow their premises to be occupied for residential purposes**. In particular such gas fittings and associated flues, etc., **must be maintained in a safe condition and safety checked every 12 months**. Appropriate records must be kept of these checks and must be made available to the occupier on request. **The landlord must ensure that only HSE approved gas fitters (CORGI) who have had appropriate training in the appliance(s) to be worked on, carry out any work on gas fittings or appliances within their premises.**

32. Confined Spaces

- 32.1 Systems of work must be safe, so far as is reasonably practicable, under **s.2 of the Health and Safety at Work etc. Act 1974. Regulation 3 of the Management of Health and Safety at Work Regulations 1992** requires an assessment of risks arising from work activities. The assessment should consider all of the work to be carried out, the methods to be used and any hazards associated with the plant or the proposed method of working. The assessment's aim is to establish the steps to be taken to make the job safe and to decide on the precautions to be taken.
- 32.2 **The Confined Spaces Regulations 1997 replace earlier provisions made under Section 30 of the Factories Act 1961.** The regulations now take on the following format:

Definitions Regulation 2

Confined Spaces	Foreseeable risk associated with that enclosed space.
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Free Flowing Solid	Substance made up of solid particles which has a flowing or running consistency.
Specific Risk	Of serious injury, explosion, fire, lack of oxygen etc.
System of Work	Provision of suitable, & maintained equipment Provision of suitable, & maintained equipment.
Duties Regulation 3	To employees, non-employees & self employed.
Work in Confined Spaces	Regulation 4 .
Emergency Arrangements	Regulation 5 Suitable & sufficient arrangements.

- 32.3 Unless there is another adequate means of exit, the confined space must have a manhole of a specific size. Persons entering a confined space must be wearing suitable breathing apparatus, have authorisation to be there from a responsible person (permit to work) and be wearing a belt with a safety rope held at the other end by a second person keeping watch outside, who is capable of pulling the first person out in an emergency. These three requirements are not applicable if a responsible person has certified that the confined space is safe for entry for a specified period without breathing apparatus which can only be done if measures have been taken to eliminate the risk of dangerous fumes and to provide air fit for breathing. Sufficient reviving apparatus, oxygen, belts, ropes and equipment as necessary are to be available.
- 32.4 HSE guidance note GS/5 on entry into confined spaces is intended to advise those responsible for such operations on the procedures and safeguards which are essential for such work. HSE construction summary sheet SS15 outlines the factors which make a confined space dangerous and suggests precautions which can minimise hazards. Guidance note CS/15 concerns safety in work with tanks used for storing flammable liquids.
- 32.5 The principle adopted for safe entry into confined spaces is one of adherence to a well-defined **system of precautions laid down in writing** in the form of a **permit to work. appointment of "competent persons"** to prepare permit to work documents for entry into confined spaces is essential. The competent persons are required to have the experience and skills necessary to assess the situation.
- 32.6 It is essential that, before a person is set to work in a confined space, the competent person issuing the permit to work is completely satisfied that the person who is going to carry out the work fully understands the precautions and is aware of any limitations applying to the work.
- 32.7 Records should be kept of the following:
- a. Appointed competent persons, including date of appointment, date of review, any limitations.
 - b. Safety harnesses or lines, reviving equipment and any other emergency equipment, as well as its inspection and maintenance history.
 - c. Training of attendants and rescue teams, including dates of training, date of review and name of trainer.
 - d. Permits to work issued. The record should be in the form of a copy of the permit to work which must contain the following details:
 - Plant detail (location/identity).
 - Work to be done (detail to allow suitable and sufficient risk assessment).
 - Person carrying out work (department/contractor/self-employed).

- Plant out-of-service period (statement of when/period of removal from service).
- Isolation carried out (electrical/fumes/mechanical/heat, etc.).
- Precautions introduced (monitoring of fumes/purging of vessels, etc.).
- Testing (results of any testing for contaminants).
- Further precautions required (low voltage equipment etc.).
- Name of recipient.

32.8 The following information should be recorded on the permit to work when applicable:-

- a. Extension of time period for work to be completed.
- b. Changes in work to be carried out which are identified after commencement of work.
- c. Emergency cancellation.

32.9 **General.** It is the policy of the Education Department to take all reasonable steps to secure the health and safety of those persons in our employ who are required to make entry into confined spaces. The Education Department acknowledges that health and safety hazards may arise when entry into confined spaces is required. It is the intention of the Education Department to ensure that any risks are reduced to a minimum. The implementation of this policy requires the total co-operation of all members of management and staff. There will be full consultation with employee representatives through existing channels of communication.

32.10 The Education Department will, in consultation with employees and their representatives:

- a. Provide such information, instruction and training as is necessary to enable the appointment of "competent persons" capable of carrying out risk assessments when entry into confined spaces is planned.
- b. Maintain a documented permit to work system, which must be used whenever entry into "confined spaces" is required.
- c. When entry into confined spaces is required for employees:
 - Maintain sufficient serviceable sets of safety belts, ropes and equipment to ensure safe entry where there is danger from gases, fumes, vapours, etc or where there is liable to be a deficiency of oxygen.
 - Provide training in the use of safety ropes and equipment where necessary for those employees who may be required to use such equipment when working in confined spaces
- d. When entry into confined spaces by contractors and sub-contractors (including the self-employed) is required:
 - Ensure that only serviceable sets of safety ropes and equipment are used so as to allow safe entry into confined spaces where there is danger from gases, fumes, vapours, etc or where there is a deficiency of oxygen.
 - Ensure that users of safety ropes and equipment have received adequate training in its use.
- e. Provide such equipment and resources as are necessary to safely carry out entry into confined spaces.

- 32.11 Where an employee raises a matter related to health and safety associated with work in confined spaces, the Education Department will:-
- Take all necessary steps to investigate the circumstances.
 - Take corrective measures where appropriate.
 - Advise the employee of actions taken.
- 32.12 The Education Department will provide sufficient information, instruction and training as is necessary to ensure the health and safety of workers who are required to enter into confined spaces. Managers and supervisors who are responsible for workers required to enter confined spaces will also be given appropriate training. When the proper precautions are adhered to, there is no reason why employees should not safely enter confined spaces during the course of their work.

33 Young Persons

- 33.1 **The Health and Safety (Young Persons) Regulations 1997.** These Regulations came into force on 3 March 1997 and apply to those employers who wish to employ persons under the age of 18, and are summarised below:-
- 33.2 The above Regulations implements certain European Directive provisions concerning the protection of young persons at work, by further amending the **Management of Health and Safety at Work Regulations 1992**, and extend the requirement to carry out a **Risk Assessment** to include risks to young persons, this requires certain information to be given to employees and parents/guardians of young persons, and require young persons to be protected from any risk at work, (**Extra Duty of Care**).
- 33.3 **Definitions** A “child” is defined as a person who is not over compulsory school age - the **Education Act 1966** in England and Wales & the **Education (Scotland) Act 1980** in Scotland. A “young person” is defined as a person who has not reached the age of 18.
- 33.4 **Risk Assessment (Extra Duty of Care) Employers must not take young persons into their employment unless a risk assessment has been carried out, or an existing assessment is reviewed**, in order to ensure that any risk to those young persons are identified and addressed. **Where young persons are already employed**, the existing assessment must be reviewed accordingly.
- 33.5 When carrying out an assessment or a review of the risks to young persons, employers must take the following factors into account:-
- The inexperience and immaturity of young persons.
 - Their lack of awareness of risk to their health and safety.
 - The fitting out and layout of their workstation and place of work.
 - The nature, degree and duration of any exposure to biological, chemical or physical agents or substances.
 - The form, range use and handling of work equipment.
 - The way in which processes and activities are organised.
 - Any health and safety training given or intended to be given.

Risks associated with agents, processes or substances listed in Annex to EC Directive 94/33/EC: -

Ionising radiation
Work in high-pressure atmospheres
Biological agents
Chemical agents classified as: -

1. Toxic, very toxic, corrosive or explosive
2. Harmful with one or more of the following risk phrases:-

R39 - danger of very serious irreversible effects

R40 - possible risk of irreversible effects

R42 - may cause sensitisation by inhalation

R43 - may cause sensitisation by skin contact

R45 - may cause cancer

R46 - may cause heritable genetic damage

R48 - danger of serious damage to health by prolonged exposure

R60 - may impair fertility

R61 - may cause harm to an unborn child

3. Irritant with one or more of the following risk phrases:-

R12 - highly flammable

R42 - may cause sensitisation by inhalation

R43 - may cause sensitisation by skin contact

Carcinogens (and certain related work processes)

Lead and lead compounds

Asbestos

Manufacture and handling of fireworks and other explosive devices

Work involving fierce or poisonous animals

Industrial animal slaughtering

The handling of equipment for the production, storage and use of compressed, liquefied or dissolved gases.

Work in vats, tanks, reservoirs or carboys containing any of the chemical agents listed above

Work where there is a risk of collapsing structures

Work involving high voltage electricity

Work where the place of the work is controlled by machinery and the payment is based on results.

33.6 Information for Employees

In addition to providing employees with comprehensive and relevant health and safety information as required under regulation 8 of the Management Regulations, employers must also provide the parents or guardians of a child with comprehensive and relevant information. This information must include the **identified risks** to the young persons, associated preventative and protective measures, and any information on risks to health and safety required to be provided in situations where two or more employers share a workplace.

**This information must be given to parents or guardians before a “child” is employed.
You may give it to the parents or guardian via the child.**

33.7 Protection of Young Persons

Employers must protect young persons from any risk to their health and safety which are associated with the young persons lack of experience, lack of awareness of risks, or immaturity. In addition employers may not employ young persons where the work:

- a. Is beyond their physical or psychological capacity.
- b. Involves exposure to toxic or carcinogenic substances, or substances which cause heritable, genetic damage, harmful to unborn children, or might cause any other chronic health effect.
- c. Involves harmful exposure to radiation.
- d. Involves a risk of accidents which young persons may not reasonably recognise due to their insufficient attention to safety or lack of experience or training.
- e. Involves a risk to health from extreme temperatures (hot or cold), noise or vibration.

33.8 The risk assessment above should determine whether the work represents any risks to young persons. The above prohibitions on employment of young persons do not apply where the work is part of the young persons training, where the work is carried out under the strict supervision of a competent person and where any risks are reduced to the lowest level that is reasonably practicable.

33.9 The **Health and Safety (Training for Employment) Regulations 1990**. Apply the provisions of the **Health and Safety at Work etc. Act 1974** to people receiving “relevant training”. Within these regulations “relevant training” is defined as “work experience provided pursuant to a training course or programme, or training for employment, or both”. This means that all young people receiving training or work experience from an employer in the workplace are deemed to be employees for the purposes of health and safety legislation. School pupils on work experience and college students on sandwich courses are also included. Previous provisions covering participants on government training schemes are re-enacted. The regulations do not apply to “relevant training” provided at education establishments or courses run by such establishments, or to training received under a contract of employment.

33.10 General Statutory Provisions

The Factories Act 1961 (and regulations made thereunder) makes provisions for the protection of young people who work in certain occupations.

The Employment of Women, Young Persons and Children Act 1920, lays down that no person who is not over compulsory school age may be employed in any industrial undertaking nor in any vessel, ship or boat except upon those which only members of the same family are employed.

Children and Young Persons Acts 1933 and 1969, as amended by the Employment of Children Act 1973, prohibit the employment of children in the following circumstances:-

- a. Where the child is under 13 years of age.
- b. Before the close of school hours on a day on which they are required to attend school.
- c. For more than two hours on any day on which they are required to attend school.
- d. Before 7am or after 7pm on any day.
- e. For more than two hours on any Sunday.

The **Manual Handling Operations Regulations 1992, (rev 1998)** also prohibits young persons lifting, carrying or moving anything so heavy as to be likely to cause injury to them.

33.11 Certain risks which have been made the subject of specific statutory control and special legislation have prohibited young people from employment in those situations in which these risks are prevalent, namely:-

Agriculture	Restrictions on employment of young people.
Lead	Prohibition on employment of young people in certain processes.
Potteries	Prohibition on employment of young people in certain processes.
Radiation	Restrictions on appointment as classified persons.
Woodworking machinery	Prohibition on employment of untrained young people.

33.12 Fitness for Employment

Apart from the training pre-requisites, which ensure employees are fit to carry out the tasks for which they are employed, in some instances employees may be unfit for particular employment because of their personal state of health. In some situations employers may be under a duty to satisfy themselves that an employee is fit to undertake work, in other instances employees may be under a duty to provide the employer with evidence of their state of health. Attention is particularly drawn to the **Health and Safety at Work etc. Act 1974**. It is arguable that, even in the absence of special statutory requirements, there may be work situations in which employers could not be said to be discharging their duty under section 2 if they did not seek medical evidence to satisfy themselves that an employee was fit to undertake, or to continue working in a particular situation. The **Health and Safety (Young Persons) Regulations 1997**, state that employers may not employ young persons for work which is beyond their physical and/or psychological capabilities.

33.13 Certificate of Fitness

If a Factory Inspector is of the opinion that the employment of a young person in a particular factory or on a particular process would be prejudicial to the health of that young person, the Inspector may by notice instruct the employer in question to transfer that employee to more suitable work, or, if necessary, to terminate the employment not later than seven days after the service of the written notice. The employer may not continue to employ that young person in the factory or on a particular process, or whatever, unless the appointed Factory Doctor or an employment medical adviser has, after service of that notice, personally examined the young person and certified them fit for employment in the factory or process or kind of work, as the case may be. **Certificates of fitness** are more commonly required in building operations or in works of engineering construction. However, a Factory Inspector may legitimately require a fitness check in any type of industrial employment.

33.14 **It follows that four main points must be observed when employing a young person:**

- a. **Risk Assessments** are carried out prior to employment, or reviewed if in existence.

- b. **Information about risks being given to parents or guardians**, this may be done via the young person.
- c. **The young person must be Fit for Employment.**
- d. **Strict supervision and limited work processes must be adhered to.**

33.15 Local byelaws must also be adhered to.

34. Administration of medicines and pupil health issues

(Currently being drafted)

35. Educational Visits

35.1 The Education Department's policy and procedures are set out in the separate guidance document "Health and Safety on Educational visits."

36. Emergency Procedures

36.1 The Comhairle's guidance on Emergency Procedures is set out at Standard No 7 under Standards in the Health and Safety section of the Comhairle's Intranet site.