

FIRE SERVICES EXAMINATIONS BOARD

STUDY NOTE

EXAMINATION	LEADING FIREFIGHTER
PAPER	HUMAN RESOURCE MANAGEMENT
SUBJECT	HEALTH, SAFETY AND WELFARE
ITEM	THE HEALTH AND SAFETY AT WORK ETC ACT 1974 - AWARENESS
STUDY NOTE No.	1308

INTRODUCTION TO THE STUDY NOTE

This study note has been prepared as the basis of study in connection with the qualifying examinations for promotion.

Candidates will be expected to demonstrate knowledge of the information contained in the study note and understand how it be applied:

The 'References' made at the end of the Study Note are included for information only and candidates will not be expected to study these as part of the bibliography.

THE HEALTH AND SAFETY AT WORK ETC ACT 1974 - AWARENESS

1. Introduction

The ultimate goal behind health and safety is the prevention of injury and ill health. This can be achieved by effective planning to identify, eliminate and control hazards and risks.

Health and safety legislation provides employers and employees with their duties and requirements for health and safety at work.

Crew Commanders have a responsibility to ensure the health, safety and welfare of personnel under their control this is achieved by limiting exposure to hazards through risk assessments, applying control measures and safe systems of work.

2. Health and Safety at Work Act 1974

The Robens Committee was appointed in 1970 to review occupational health and safety law. The outcome was the production of the Health and Safety at Work etc Act 1974 (HASWA).

HASWA was written as a framework on which future legislation could be based. It contains sections on the general duties of employers and employees as well as the format of regulations and approved codes of practice, details on the powers of enforcing inspectors and offences and penalties.

HASWA is probably the most important of a number of pieces of legislation concerned with safety.

This study note briefly introduces HASWA and four sections from the Act are outlined. It is important for Crew Commanders to have a basic knowledge and understanding of these duties as they will have a responsibility to ensure that they are put into practice within the scope of their role.

3. "So Far as is Reasonably Practicable"

The phrase "so far as is reasonably practicable" features in the employer's duties. It means that the degree of risk in a particular activity or environment can be balanced against the time, trouble, cost and physical difficulty of taking measures to avoid the risk.

4. Section 2

This places a duty on employers to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all their employees. This general provision also includes, so far as is reasonably practicable:

- (a) Ensuring that plant, equipment and systems of work are provided and maintained so as not to give rise to risks to health and safety;

- (b) Having arrangements in place to ensure that there is no risk in connection with using, handling, storing or transporting articles and substances.
- (c) Providing information, instruction, training and supervision;
- (d) Maintaining the place of work, including means of access to and egress from; and
- (e) Providing and maintaining a working environment that is safe and without health risks and adequate facilities and arrangements for welfare.

Furthermore, the employer has a duty to prepare a written safety policy that includes the organisation and arrangements in place to carry out that policy.

5. Section 3

A duty is placed on the employer to conduct their business activities in such a way, so far as is reasonably practicable, that persons not in their employment are not exposed to risks.

Self employed, other employees and the public must not be exposed to danger or risks to health and safety from work activities.

6. Section 7

Employees have a duty to:

- Take reasonable care of themselves and of other persons who may be affected by their acts or omissions at work.
- Co-operate with their employer so far as is necessary to enable the employer to comply with statutory duties for health and safety.

7. Section 8

A duty is placed on all persons not to intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety or welfare in pursuance of any of the relevant statutory provisions

References

The Health and Safety at Work Etc Act 1974