

# C1 Health & Safety – Professional Conduct

By  
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# Areas to cover:

- Health and Safety Law & standards
- Organisational responsibilities
- Corporate Social Responsibility

# Why manage health and safety?

*It makes sound business sense to reduce losses by having control and by managing risk effectively.*

## Understanding the losses:

- Loss of time
- Loss of resource
- Cost of overtime
- Cost and time for investigation internal / HSE
- Litigation costs
- Court penalties
- Cost of welfare/treatment
- Insurance- excess premium
- Staff moral and public reputation reduced
- Legal advice costs
- Compensation

# Why manage health and safety? (2)



Moral duty



Poor H&S management



Legal duty



Financial implications

# Health and Safety it's the law!

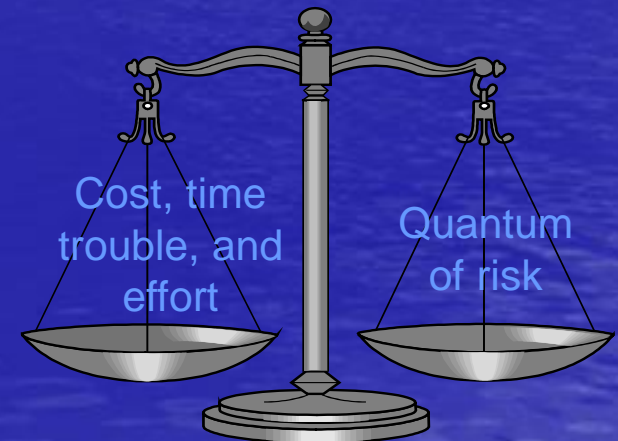
Be aware - as a manager you can delegate performance of duty but not the accountability for adequate discharge of that duty .

H&S is criminal law!



Extent of compliance:

- Absolute = shall
- So far as is practicable = must be done
- So far as is reasonably practicable =



# *Health and Safety it's the law! (2)*

Legislating for health and safety

Acts of Parliament ( HASWA 1974)

European Directives

Regulations

Approved Code of Practice (ACOP)

Guidance

# Health and Safety at Work Act



**Health  
and Safety  
Law**

*'It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees.'*

(Section 2 of HASAWA 1974)

# Management of H&S at Work

## Regulations 1999

As company Director's you must. . .

**Regulation 3:** Assess the work related risks faced by employees, and by people not in their employment

**Regulation 5:** Have effective arrangements in place for planning, organising, controlling, monitoring and reviewing preventative measures

**Regulation 7:** Appoint one or more competent persons to help in undertaking the measures needed to comply with health and safety law

**Regulation 10:** Provide employees with comprehensive and relevant information on the risks they face and the preventative and protective measures that control those risks



# Civil Law - Duty of care

## Law of Tort-Civil wrong (Common Law)

The employer has a duty to take reasonable care of his employees. In the event of the employer being negligent or breaching their statutory duty the injured party may sue for damages and be awarded compensation.

## Civil Claims

Company costs +  
the (£) legal advice!

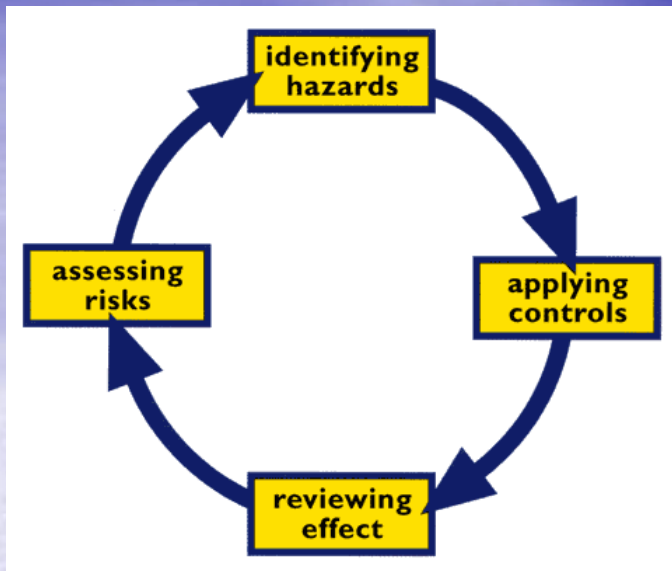
Cost of accidents=



# The cost of accidents

VIDEO

# Risk Assessment



- Management HSW Reg 3 (1999)
- HSG 65 (from Reg 5)
- Suitable and sufficient
- Principles of prevention
- ALARP
- 5 Steps



# Accidents **at Work**

► to speak with our  
**Accidents at Work**  
solicitors...

call us now on:  
**0800 0384 384**



- **Legal duty to Prevent and minimise**
- True Costs of Accidents
- Insurance Iceberg
- Mental health – Stress
- Absenteeism – management
- RIDDOR



# Risk Management

*'The key to successful business is the effective management of risk.'*

IOSH

## What is Risk Management?

Risk management is the practical approach taken by employers to assess the risk of harm occurring to their employees or business.

Fundamental to this is the risk assessment process.

# Who does your risk assessments?



Glasgow 2004  
A memorial garden to  
the victims of the  
blast now stands on  
the site

Risk assessments on  
buried gas pipes at a  
factory where nine  
people died in an  
explosion were  
carried out by a  
student on a holiday  
job.

# Evaluation of Risk Assessment

Separate slides to be viewed

# How to manage health and safety

## HS(G) 65: Successful Health and Safety Management



(HSE. 2000 p 55)

Do you have these areas covered?

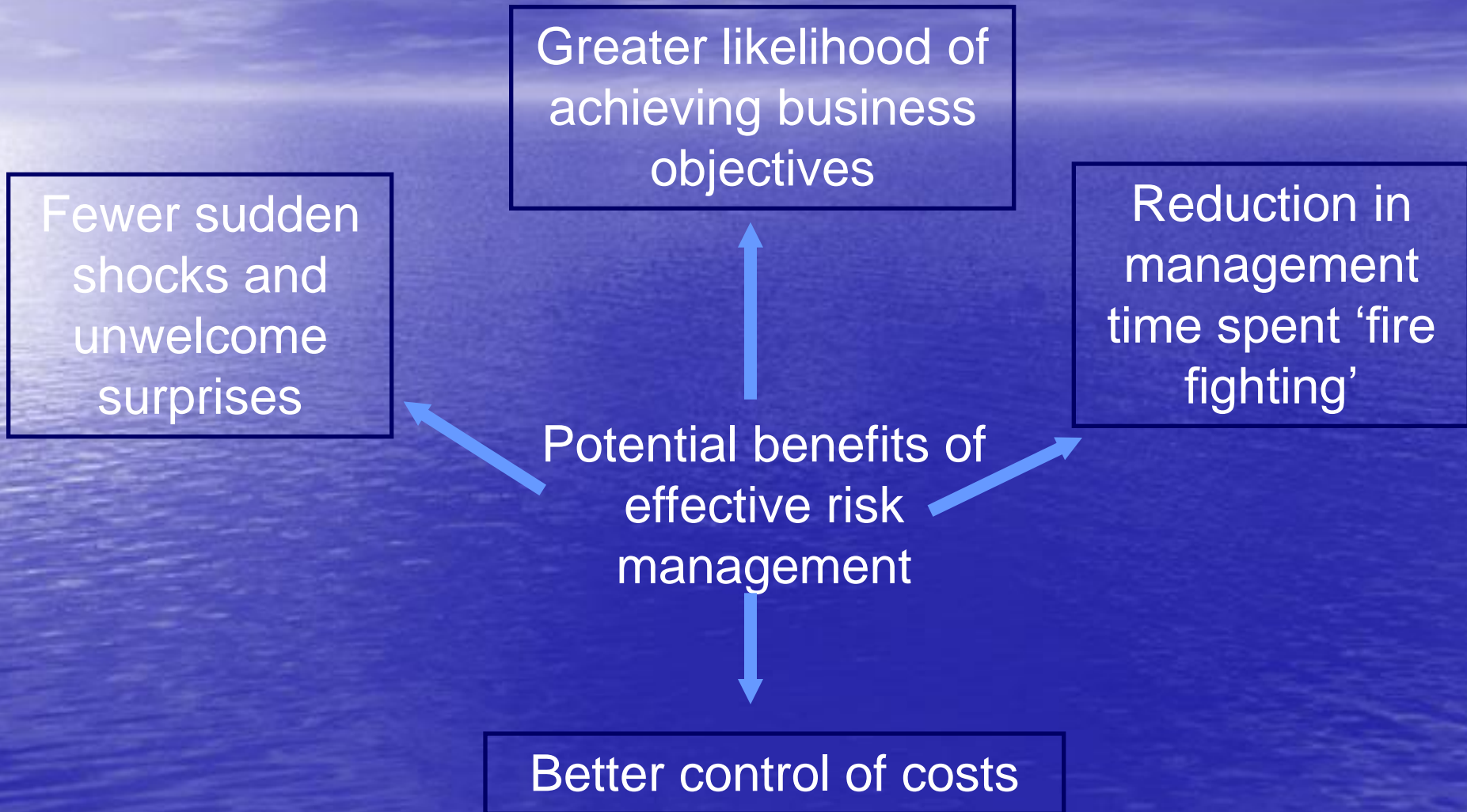


# Effective H&S Management

Good health and safety management enables managers to develop effective systems that both support and compliment all other business activities.

- Ensure that management systems inform directors and board members of performance against targets.
- Nominated manager to be health and safety 'champion'.
- Ensure that you address the health and safety implications of all decisions.

# Effective H&LS Management (2)



# Corporate Social Responsibility

The practical application of  
sustainable development?

# Definition/explanation

- CSR can be defined as a concept whereby companies decide voluntarily to contribute to a better society and cleaner environment (EU Green paper)
- Demonstrates commonality of underpinning values found in the SD Strategy for Europe (agreed at the Goteborg European Council, June 2001)
- Concept whereby companies integrate social & environmental concerns into their overall business decision making process, i.e., acting over and above (and often in advance of) legislation
- 'The ways in which organisations manage their core business activities so as to add social, environmental and economic value and produce a positive, sustainable impact for the business itself and in turn wider society.' (HSE, 2008)

# The Pyramid of Social Responsibility



Source: Carroll (1991)

# Consideration of factors driving forward the application of CSR

- Emerging concerns & expectations of stakeholders (public, consumers, regulators, governments, investors etc) in the context of globalisation & large scale industrial change;
- Social criteria (risk) is increasingly influencing the investment decision of individuals & institutions as consumers and investors;
- Increased awareness & concerns of the damage created to the environment due to economic growth/gain;
- Transparency of business activities brought about by the media & information exchange technologies

# CSR- the internal dimension (priorities of the company)

- Socially responsible practices involve employees and relate to issues such as investment in human capital, H&S, managing change.
- Environmental responsible practices consider the management of natural resources utilised in production, generation of waste and ultimate disposal of product at the end of its' life.

# Health & Safety

Objective; to move away from reliance on legislation & enforcement measures

Mechanisms to apply;

- Use of H&S data in procurement/awarding contracts
- Communication of H&S performance, accident rates, down time etc
- involvement in voluntary schemes aimed at raising awareness of occupational health & safety



# Management of environmental impacts & natural resources

Objective; to reduce consumption of resources & reduce polluting emissions/waste

Mechanisms to apply;

- Realisation of win-win situation, good environmental performance is good for business
- Realisation that physical environment is a key factor in recruiting staff
- Development of positive community relations (via sponsorship etc) builds social capital

# In practical terms...

- CSR is all about the holistic approach to business management and decision making processes
- CSR recognises that for an action there is a reaction and an impact
- CSR demonstrates responsibility and accountability

# Standards

- The majority of business issues benefit from the consistency and benchmarking aspect of international standards.
- Standards in relation to CSR are still very much in the developmental stage and therefore open to influence?
- ISO is currently debating the value, need and ultimate content of any such standard to be launched.
- <http://www.iisd.org/standards/csr.asp>

# Component parts

- **Child Labour:** No workers under the age of 15; minimum lowered to 14 for countries operating under the ILO Convention 138 developing-country exception; remediation of any child found to be working
- **Forced Labour:** No forced labour, including prison or debt bondage labour; no lodging of deposits or identity papers by employers or outside recruiters
- **Health and Safety:** Provide a safe and healthy work environment; take steps to prevent injuries; regular health and safety worker training; system to detect threats to health and safety; access to bathrooms and potable water
- **Freedom of Association and Right to Collective Bargaining:** Respect the right to form and join trade unions and bargain collectively; where law prohibits these freedoms, facilitate parallel means of association and bargaining
- **Discrimination:** No discrimination based on race, caste, origin, religion, disability, gender, sexual orientation, union or political affiliation, or age; no sexual harassment
- **Discipline:** No corporal punishment, mental or physical coercion or verbal abuse

# Component Parts continued

- **Working Hours:** Comply with the applicable law but, in any event, no more than 48 hours per week with at least one day off for every seven day period; voluntary overtime paid at a premium rate and not to exceed 12 hours per week on a regular basis; overtime may be mandatory if part of a collective bargaining agreement
- **Compensation:** Wages paid for a standard work week must meet the legal and industry standards and be sufficient to meet the basic need of workers and their families; no disciplinary deductions
- **Management Systems:** Facilities seeking to gain and maintain certification must go beyond simple compliance to integrate the standard into their management systems and practices.