



Tel: 0131 226 8480
E-mail: rc-scotland@mail.nasuwat.org.uk
Website: www.nasuwat.org.uk

management regulations



health&safety
at work

This leaflet provides information on the Regulations concerning health and safety management.

The Regulations

The Management of Health and Safety at Work Regulations 1999 are the means by which the United Kingdom has implemented the European Union health and safety directives. The Regulations impose a number of duties on the employer, as set out below.

Risk assessment

The Regulations impose a duty on employers to carry out a 'suitable and sufficient risk assessment' of each workplace.

This means that, in consultation with trade union health and safety representatives, employers must examine every work situation, both of employees and non-employees on site (including children, visitors and students), to assess the level of risk to their health and/or safety posed by the work activity.

If an employer employs more than five people, the risk assessment must be put in writing. A properly trained, qualified and experienced competent person must be employed to undertake risk assessments or to help the employer in the task.

The employer must consult health and safety representatives on the arrangements for appointing the competent person. Having identified a risk to health and/or safety, the employer has a duty to devise preventative measures (preferably by removing the hazard altogether) and subsequently to arrange for the 'planning, organisation, control and monitoring of [these] measures'. The preventative measures to be taken must be put in writing by employers of more than five people.

The Health and Safety Executive (HSE) leaflet *Five Steps to Risk Assessment* can be downloaded from the HSE website at www.hse.gov.uk/pubns/indg163.pdf. The NASUWT has also produced the *Take the Risk Out* resource, which is available on the NASUWT website at www.nasuwt.org.uk.

Health monitoring

Employers may also be required to have a strategy to detect and assess systematically the adverse effects

of work on the health of employees (health surveillance). All employers should monitor the health of employees who are exposed to unhealthy stress because of their work.

The duty to monitor workplace conditions in terms of their effects on employee health should not lead to inappropriate monitoring of employees or the introduction of unreasonable and unacceptable systems of sickness absence monitoring.

Dangerous situations

The Regulations require employers to establish effective procedures to be followed by employees in case of serious and imminent danger (e.g. fire).

Competent persons must be appointed or designated to establish and operate these procedures.

Employers must inform workers of the nature of any serious or imminent danger and of the steps to be taken to protect them from it. This should include informing staff who work with students with a record of violent conduct.

Contractors working on site

The Regulations require employers sharing the same site to co-operate on health and safety matters and to ensure that both sets of workers are provided with adequate health and safety information relating to the work being undertaken.

Information and consultation

The Regulations impose a duty on employers to provide employees with relevant and easily understood information on risk assessments, protective and preventative measures, 'serious and imminent danger' procedures, and the names of the competent persons who have been appointed.

Employers have a statutory duty to consult trade union health and safety representatives on this information.

Advice and support

For additional advice and support, contact your NASUWT Local Association or Scotland National Centre. Contact details can be found:

- on the NASUWT website at www.nasuwt.org.uk;
- in the NASUWT diary or by phoning 0131 226 8480.