Health and Safety Questions and Answers

A practical approach

Also available by the same author:

CDM 2015 Questions and Answers, First edition

Health and Safety Questions and Answers, Second edition

Risk Assessment Questions and Answers, Second edition

(coming soon)

Health and Safety Questions and Answers

A practical approach

Second edition

Pat Perry MCIEH, MIIRM, FRSH, MIOSH

Published by ICE Publishing, One Great George Street, Westminster, London SW1P 3AA.

Full details of ICE Publishing sales representatives and distributors can be found at: www.icebookshop.com/bookshop_contact.asp

Other titles by ICE Publishing:

ICE Manual of Health and Safety in Construction, Second edition
Ciaran McAleenan and David Oloke (eds). ISBN 978-0-7277-6010-4

Practical Guide to Using the CDM Regulations 2015.

Tony Putzman and Paul McArthur. ISBN 978-0-7277-5990-0

CDM Regulations 2015 Explained

Raymond Joyce. ISBN 978-0-7277-6009-8

CDM 2015 Questions and Answers, Second edition

P. Perry. 978-0-7277-6032-6

www.icebookshop.com

A catalogue record for this book is available from the British Library

ISBN 978-0-7277-6074-6

© Thomas Telford Limited 2016

ICE Publishing is a division of Thomas Telford Ltd, a wholly-owned subsidiary of the Institution of Civil Engineers (ICE).

All rights, including translation, reserved. Except as permitted by the Copyright, Designs and Patents Act 1988, no part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying or otherwise, without the prior written permission of the Publisher, ICE Publishing, One Great George Street, Westminster, London SW1P 3AA.

Words importing the masculine gender only shall include the feminine gender and vice versa as applicable.

Contains public sector information published by the Health and Safety Executive and licensed under the Open Government Licence v1.0, v2.0 and v3.0.

This book is published on the understanding that the author is solely responsible for the statements made and opinions expressed in it and that its publication does not necessarily imply that such statements and/or opinions are or reflect the views or opinions of the publishers. Whilst every effort has been made to ensure that the statements made and the opinions expressed in this publication provide a safe and accurate guide, no liability or responsibility can be accepted in this respect by the author or publishers.

Whilst every reasonable effort has been undertaken by the author and the publisher to acknowledge copyright on material reproduced, if there has been an oversight please contact the publisher and we will endeavour to correct this upon a reprint.

Commissioning Editor: Amber Thomas

Development Editor: Maria Inês Pinheiro

Production Editor: Rebecca Norris

Market Development Executive: Elizabeth Hobson

Typeset by Academic + Technical, Bristol

Index created by Indexing Specialists (UK) Ltd, Hove, East Sussex

Printed and bound in Great Britain by Bell & Bain Limited, Glasgow, UK

Contents

	Preface	vii
	Acknowledgements	ix
	About the author	x
	List of abbreviations	xi
01	Introduction to health and safety	1
02	Health and safety legislation	29
03	The Construction (Design and Management) Regulations 2015 explained	55
04	Corporate Manslaughter and Corporate Homicide Act 2007	85
05	Accident and incident management and investigation	95
06	Health and safety culture	121
07	Human factors in health and safety	131
08	Training in health and safety	141
09	Risk assessments	153
10	First aid	169
11	Hazardous substances and the COSHH Regulations 2002	181
12	Asbestos management	191
13	<i>Legionella</i> and Legionnaires' disease	205
14	Manual handling	215
15	Noise in the workplace	225
16	Workplace environment and safety	239
17	Display screen equipment	251
18	Personal protective equipment	263
19	Working at heights	269
20	Safe systems of work	285
21	Electrical safety	301
22	Gas safety	309

23	Fire safety in the workplace	323
24	Lifting operations and lifting equipment	371
25	Stress management	381
26	Lone working, violence and aggression at work	389
27	Managing contractors	401
	Bibliography	409
	Index	411

Preface

The Health and Safety at Work etc. Act 1974 came into force over 40 years ago and has provided the foundation for all health and safety legislation. The Act was innovative for its time as it set out a self-regulatory approach to health and safety, providing goals and objectives rather than prescriptive directions on how to manage safety.

Over the years there have been numerous regulations, codes of practice and guidance documents on a wide range of health and safety topics, and the topic of health and safety has been widely debated, with many believing that the pendulum has swung too far towards the preventative scale and others believing that more regulation is needed.

There can be no doubt that regard to health and safety is needed to protect workers and others from death, injury and ill-health caused by their working conditions and practices. Those who have died at work or in the course of performing their duties do not get a second chance to say 'I wish I had thought about the hazards and risks and acted differently.'

Health and safety law, including fire safety law, is not complicated but it can be confusing, and often employers and others are unsure exactly what they have to do to ensure they have complied with the law.

This is the up-to-date version of the book that was originally written in 2003. It covers the most significant topics of health and safety and fire safety, and provides a practical and pragmatic approach to complying with the legislation.

The book is set out in a questions and answers format, and the questions have invariably been asked of the author over many years. While employment environments may differ the laws that apply are generally the same, and employers need to adapt solutions and procedures to suit their way of working. Often there is no right or wrong way to approach health and safety – the end result must

always be to minimise risk and reduce the likelihood of harm to individuals, whoever they are.

The book contains a number of templates and example forms that employers may find helpful when designing their own health and safety management systems.

Acknowledgements

I would like to thank my family for all their support and patience throughout the numerous days of writing and typing the manuscript for this book.

About the author

Pat Perry MCIEH, MIOSH, FRSH, MIIRM, qualified as an environmental health officer in 1978 and spent the first years of her career in local government enforcing environmental health laws, in particularly health and safety law, which became her passion. She has extensive knowledge of her subject and has served on various working parties on health and safety, fire safety and food safety. Pat contributes regularly to professional journals and speaks at conferences and seminars. She has written a number of books on health and safety and food safety, and her latest book on The Construction (Design and Management) Regulations 2015 was published by ICE in June 2015.

Pat set up her own environmental health consultancy, Perry Scott Nash Associates Ltd (PSN), in 1988, and fulfilled her vision of creating a 'one-stop shop' for the provision of consultancy services to the commercial, hospitality and retail sectors. The consultancy grew considerably over the years and provided consultancy advice to a wide range of clients in a variety of market sectors. In 2013 PSN joined the Acoura Group in order to realise continued growth and to provide a wide range of consultancy and compliance services, especially in the food and drink sectors.

Pat now spends her time as a freelance consultant and non-executive director, and continues to take an active interest in health and safety and regulatory topics.

List of abbreviations

ACAS	Advisory, Conciliation and Arbitration Service
ACOP	approved code of practice
CDM	Construction (Design and Management)
COMAH	Control of Major Accident Hazards
COSHH	Control of Substances Hazardous to Health
CSCS	Construction Skills Certification Scheme
DPP	Director of Public Prosecutions
DSE	display screen equipment
EAV	daily exposure value
EFAW	emergency first aid at work (course)
EHO	environmental health officer
ELV	daily exposure limit
FAW	first aid at work (course)
FFI	fee for intervention
HSE	Health and Safety Executive
HSWA	Health and Safety at Work Act
HVCA	the Heating and Ventilating Contractors' Association
LOLER	Lifting Operations and Lifting Equipment Regulations 1998
LPG	liquefied petroleum gas installations
MEL	maximum exposure limit
OEL	occupational exposure limit
PACE	Police and Criminal Evidence Act 1984
PAT	portable appliance test
PEEP	Personal Emergency Evacuation Plan
PPE	personal protective equipment
RIDDOR	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
RSI	repetitive strain injury
SDS	safety data sheet
SSIP	Safety Scheme in Procurement
STELs	short-term exposure limits

SWL	safe working load
TMVs	thermostatic mixing values
TWA	time-weighted average
ULDs	upper limb disorders
VDUs	visual display units
WEL	workplace exposure limits