



## H & S Guidance - Business Start Up

### INTRODUCTION

If you have recently started your business you may benefit from having an overview of the main legal requirements relating to health and safety. Further details on all of these can be found within this Information System.

### MAIN DUTIES

Under the Health and Safety at Work etc. Act 1974, the main duties of employers are to:

1. Provide equipment and systems of work that are safe and without risks to health.
2. Ensure the safe handling, storage, transport and use of articles and substances.
3. Provide adequate information, instruction, training and supervision.
4. Maintain the workplace in a safe condition, including means of access and egress.
5. Provide a work environment that is safe, including adequate welfare and sanitary facilities.
6. Ensure non-employees are not put at risk.

**Employees** must:

1. Take reasonable care of themselves and others who could be affected by their actions.
2. Co-operate with their employer on matters of health and safety.

**Self-employed persons** have duties to:

1. Ensure their own health and safety.
2. Ensure the safety of non-employees who may be put at risk.



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The duties above are qualified by the phrase '**so far as is reasonably practicable**'. This means that the cost and effort of doing something should be balanced against the risk. The greater the risk posed by a work activity, the greater the control measures will need to be. This process of risk assessment and control is fundamental to effective health and safety performance.

### **MANAGEMENT OF HEALTH AND SAFETY**

The proper and effective management of health and safety will reduce the risk of accidents and occupational ill health.

Good safety management will involve:

- Planning
- Organising
- Controlling
- Monitoring
- Reviewing

**Health and Safety policy statements** are required in writing when employers employ five or more people. They should include a general statement of policy, a definition of the organisational responsibilities of directors, managers and employees, and details of the arrangements for securing a safe and healthy workplace.

**Training** should also be carried out whenever necessary and may range from general induction training to more specific/complex matters. A simple, initial training checklist may include the following:

- 1 Company safety set up/reporting structure
- 2 Fire and evacuation procedures
- 3 First aid provision and location
- 4 Safety Procedures - equipment/machines
  - processes
  - activities
  - hazardous locations



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5 General safety rules, housekeeping etc.

6 Accident/Ill Health/Defect Reporting

7 Use of personal protective equipment/safety equipment.

**NB This list should not be seen as exhaustive/definitive.**

## **Risk Assessment**

This is required for all your work activities and involves:

- identifying hazards
- evaluating risks
- implementing and maintaining control measures
- recording the significant findings of the risk assessment (if you employ five or more persons)
- monitoring and reviewing the assessments.

## **Competent Person(s)**

A competent person(s) must be appointed to help carry out your health and safety responsibilities. They should possess the necessary training, experience, knowledge or other appropriate qualities.

## **SOME SAFETY ISSUES THAT WILL PROBABLY NEED TO BE COVERED:**

### **1. Fire Safety**

- Do you need a Fire Certificate?
- What fire precautions are required?

Full advice can be obtained from your Fire Prevention Officer.

### **2. First Aid**

- There is a need to provide adequate and appropriate first aid equipment, facilities and personnel and to inform employees of your arrangements.



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## **3. Accident/Ill Health Recording and Reporting**

- Do all staff know what to do?
- Are procedures in place?

## **4. Electricity**

- Electrical systems and portable electrical appliances (ie. anything fitted with a plug) must be maintained in a safe condition.

## **5. Hazardous Substances**

- The risk from substances hazardous to health must be assessed under the current COSHH Regulations and any necessary control measures implemented and maintained.

## **6. Manual Handling**

- Manual handling activities will need to be assessed and any risks reduced so far as is reasonably practicable.

## **7. Display Screen Equipment (DSE)**

- Where you have 'users' of DSE, an assessment of their workstations must be carried out.

## **8. Personal Protective Equipment**

- Selection, use, storage and maintenance of PPE must be such as to ensure safety. Training of employees will also be required.

## **9. Work Equipment**

- Must be 'suitable' (i.e. safe) and maintained adequately. Contact with dangerous parts must be prevented. Training and instruction must be carried out.



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## **10.Workplace**

- Workplaces must be suitably ventilated, heated and lit. They should be clean and not be overcrowded. A sufficient number of sanitary conveniences and washing facilities must be provided, as should facilities to rest and eat meals. Accommodation for non-work clothing and an adequate supply of wholesome drinking water are also required.

## **11.Registration**

- If you employ people in an office or shop (working more than 21 hours in aggregate total) you will need to notify the enforcing authority using form OSR1. Copies of this form are available from your local Council.

## **12.Compulsory Insurance**

- The Employers' Liability (Compulsory Insurance) Act 1969, requires all employers to take out and maintain an insurance policy to cover the cost of any accidents etc. that may arise out of your work activities. A current copy of the certificate should be displayed in your premises.

## **13.Health and Safety Information**

- Health and Safety Law information (poster or leaflets) must be provided and conspicuously displayed. The enforcing authority's address should be written in the appropriate space on the poster as should details of the Employment Medical Advisory Service and named health and safety representatives for the organisation.

## **14.Record Keeping**

- Records that may need to be maintained/kept include:
  - Fire Certificate
  - Accident Book (compulsory if more than 10 employees)
  - Accident Forms (F2508) for 'reportable accidents'
  - Health and Safety Policy Statement
  - Assessments - risk (general)



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COSHH

Manual Handling

Display Screen Equipment

Noise

Personal Protective Equipment

- Statutory inspection certificates

lifting plant and equipment

hoists and lifts

pressure systems

- Equipment maintenance
- Electrical system and appliances
- Training
- Monitoring/surveillance records (re: Control of substances hazardous to health)

## **REFERENCES/FURTHER DETAILS**

You can obtain some further guidance for your business's health and safety requirements for the following web-site links and publications:

Useful Websites

### **1. Health and Safety Executive (HSE):**

All the latest information on a wide range of topics, for example asbestos information page, first aid, stress initiatives, etc.

<http://www.hse.gov.uk>

**2. Institute of Occupational Safety and Health (IOSH)** latest information for the realm of health and safety, useful contacts page for professional consultants assistance.

<http://www.iosh.co.uk>



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### **3.Small Business Service (SBS)**

Information for new business, addresses, other areas with information not just relating to health and safety

<http://www.sbs.gov.uk>

SEE ALSO:

<http://www.safestartup.org>

<http://www.businesslink.org>

<http://www.uksafety.net>

<http://tuc.org.uk>

<http://hse.gov.uk/startup/index.htm>

Useful Publications

1.Management of Health & Safety at Work Regulations 1999  
(Approved Code of Practice – L21 – HSE books ISBN 0717 624 889)

2.5 Steps to Risk Assessment (free leaflet INDG 163) available from the HSE or local council offices

3.Fire Safety – An Employers guide (Home Office publications – ISBN 01134 12290) available from HSE books.